

## Draft Statement of Community Involvement (SCI) Responses - September 2019

Key:

- **red text** denotes proposed changes to the Statement of Community Involvement document.

**Question 2. Do you have any comments on the foreword or inter-linked strands of planning covered in Section 1: Introduction?**

Name and Organisation	Response	Council's Comment
Michael Bach Kensington Society	<p>GENERAL Jargon</p> <p>1. This document is a great improvement on IPIP. However, it still uses quite a lot of jargon and terms of art that will not mean much to those not versed in the planning system or governance review. For instance, "pre-engagement" will not convey much to the person in the street and is also inaccurate as the pre-engagement stage involves at least some engagement with the public. It would be better to use an easily understood term like "Preliminary soundings". We realise that it is difficult for those steeped in and working on a subject always to spot the terminology that will baffle outsiders, and we will be making some "plain English" suggestions.</p> <p>Social media</p> <p>2. We are also concerned at the emphasis given to the use of social media. We entirely support the Council's determination to communicate with a wider audience through social media. However, at least two occasions in this document there are references to "prioritising" social media (e.g. in Figure 4) over other forms of digital communication like websites and emails. This, and the repetitive descriptions of the different forms of social media, seem to imply that you attach less importance to other forms of communication. We think more neutral language should be used and some of the repetition eliminated.</p> <p>3. The Council is to be applauded for trying to reach younger residents. However, planning is an area where this is probably less of a priority. Most of the younger residents of the borough, we suspect, live with their family or in flats on short leases and do not necessarily see their longer term future as being in the borough, given the high prices of property. These transients will have little interest in most planning matters and are not, therefore, necessarily the most important audience for planning issues – except possibly for major developments with public facilities like the Kensal Rise Canalside development project</p> <p>4. There is also a problem over terminology. The document seems to use "digital communication" and "social media" as interchangeable. Digital means of communication, however, include not just social media but also email and websites – which are elsewhere characterised in</p>	<p>1. Comments noted. We welcome your suggestions regarding plain English. The use of jargon will be reviewed throughout the document.</p> <p>2. All consultation methods are equally important to us. We have identified a growing demand for the use of social media and we will pursue it. However, we can confirm that social media is not prioritised above other consultation methods. The Consultation techniques section outlines the various methods of communication we will use in order to reach out to our stakeholders and their purpose. All the consultation methods listed are appropriate for diverse audiences and difference circumstances. Social media represents a new platform for the Council to use to engage with an audience who are comfortable using digital media to communicate.</p> <p>3. We note your support to reach our younger residents. The Council is obliged to target a wide audience and involving young people is considered an important part of this.</p> <p>4. Noted. <b>We will review the SCI to ensure that the two terms are not used in an interchangeable way and</b></p>

the document as "traditional".

**Polls**

5. We are particularly doubtful about relying too much on polls (as described in paragraph 5.13). They are likely to be completed only by certain sections of the community, and will not therefore necessarily give representative views. It is important that sections of the community do not feel excluded. Polls can moreover too easily be used in ways that narrow down the questions asked, and can be designed to gain responses on selected minor issues while ignoring the bigger picture. Drafting questions that enable people to express the whole range of their concerns is also problematic and we would suggest that where they are used there is always a section where people can express "other concerns" in their own words.

**Keeping residents informed**

5B. The Council is now offering a variety of lists or services to which residents can sign up. The Community Engagement Team has its own very large list of contacts; this document refers to a separate database of planning contacts (e.g. in Figure 4); a "Planning Policy database" (para 5.29) and a "Local Plan Database"; Residents are also encouraged to use My RBKC to receive notifications about planning and other applications. In addition, people are now being invited to sign up to an "e-newsletter"; and many would welcome the return of a Planning Bulletin. It is all becoming a bit muddling. It would be extremely helpful if, somewhere in this document, perhaps after Figure 4, there could be a section describing the various lists/e-publications to which residents can sign up, and what the Council will use them for. Electronic databases of contacts are an important tool and this may be the first time most people will have heard of some of them. You should make

**it is clear what we are referring to.**

The terms digital communication and traditional means of communicating are terms used to differentiate the consultation methods we use to communicate with stakeholders. Traditional methods of engagement relate to methods of communication that have been used to encourage stakeholders to participate in consultations (letters, website, emails and local press). Digital communication through social media (Facebook, Twitter, Snap chat), represents another form of engagement that has not been used as extensively as traditional means but offers the opportunity for users to become more interactive in sending their responses. Digital communication can make engagement simpler and quicker and has the potential to reach large audiences who would otherwise be unlikely to engage in the process.

We believe that the use of polls can be beneficial in receiving feedback as they can open up consultations to a younger audience and they offer a faster method to complete questionnaires and gain information.

**Keeping residents informed**

Comments noted.

5 Polls are intended to supplement traditional means of consultation not as a replacement. There will always be the opportunity to provide longer responses as was the case in the Draft SCI consultation.

5B. The Planning Policy database and the Local Plan database are referring to the same set of contacts. **The SCI document (paragraphs 5.8; 5.27; 5.30 and footnote 3) will be corrected to refer to Planning Policy database consistently. We will**

much of them and positively encourage people to add their names.

#### Web

6. We hope that the online version of this document will be a webpage rather than a pdf, and that there will be lots of links, both to items within the document and to RBKC website pages of interest. Footnotes go with written documents; generally they should be replaced with links to a page or document with the relevant information. We understand that this document will only be reviewed every five years. It will be particularly important, therefore, for there to be copious links to "living" documents that can be readily updated. All documents and updates should be dated.

#### INTRODUCTION (paras 1.1-1.6)

7. This should make clear that the SCI replaces the IPIP and has been prepared to meet a statutory requirement and is not just an RBKC initiative as implied in para 1.4. Insert a new para after para 1.4:

"The SCI is a statutory requirement and replaces the previous document Involving people in Planning which was published in 2013. It will be reviewed every five years."

PRE-ENGAGEMENT (we would prefer "preliminary consultation/soundings") (paras 1.7-1.10)

include a new paragraph 3.2 which will explain how signing up to MyRBKC will allow you to set up email notifications for planning applications and notifications about works in the chosen area. It will also explain that our stakeholders can also sign up to the Council's e-newsletter to learn about news, services, events and more in the borough. The Council also publishes two magazines: Our Borough and North Kensington News.

6. The online pdf document will contain links to other relevant planning documents and websites when relevant. Footnotes on the whole have been minimised and replaced with direct links in order to make accessibility of information easier.

7. Comments noted. For the general public not aware of planning processes, setting out the name of the previous document will not be helpful. The SCI webpage explains that the IPIP replaces the previous Statement of Community Involvement (SCI) in Planning which was approved in 2007. The intent was to follow statutory requirements but not necessarily flag them up to enable the document to be written in Plain English. However, we will clarify the statutory requirement in paragraph 1.4 and modify the paragraph to read:

Although the production of a Statement of Community Involvement (SCI) is a statutory requirement, it is because we the Council fully appreciate that all the people who live, work and learn in our borough have a stake in its future and must be involved proactively that we have set about producing a

	<p>8. Figure 1 uses "should" in several places where we hope you mean "will".</p> <p>9. Paragraph 1.8: Wasn't there a contractor at the meeting on 1 March? And wasn't the exercise also advertised on Nextdoor?</p> <p>Bach: 1. INTRODUCTION</p> <p>Para 1.5: This should not only be about how residents can get involved, but also how the Council will proactively communicate with residents will bring issues to their attention. Planning Alerts should be revived and its reach expanded by linking it to MyRBKC.</p>	<p><b>Statement of Community Involvement (SCI).</b></p> <p>8. Comments noted, however, there is not the word "should" in Figure 1.</p> <p>9 Planning consultants were invited to the meeting on 1 March but it was not advertised on Nextdoor.</p> <p>Para 1.5 We note your comments regarding planning alerts. We will consider how best to bring important matters to the attention of residents. We will engage with the Council's Media and Communications team to reintroduce the Planning Bulletin on a monthly basis. We will monitor the effectiveness of communicating through the Planning Bulletin and keep this under review as technologies change.</p>
<p>Henry Peterson St Quintin and Woodlands Neighbourhood Forum</p>	<p>RBKC DRAFT STATEMENT OF COMMUNITY INVOLVEMENT – SOME SUGGESTIONS</p> <p>Overall the document is a big improvement on the IPIP and seems to me to be well written without too much jargon.</p> <p>Para 1.4 is a bit disingenuous in explaining why the SCI has been prepared. This has happened not only because RBKC is keen on deeper community engagement. SCIs have been a statutory requirement on LPAs since the 2004 Planning and Compulsory Purchase Act. The new SCI needs to explain this, explain that this new version replaces the IPIP, and that there is a 2017 Neighbourhood Planning Act requirement to review and update the SCI every 5 years.</p>	<p>Support for the SCI noted.</p> <p>Comments noted. The intent was to follow statutory requirements but not necessarily flag them up to enable the document to be written in Plain English. However, we will clarify the statutory requirement in paragraph 1.4 and modify the paragraph to read:</p> <p><u>Although the production of a Statement of Community Involvement (SCI) is a statutory requirement, it is because we the Council fully appreciate that all the people who live, work and learn in our borough have a stake in its future and must be involved proactively, that we have set about producing a Statement of Community Involvement (SCI).</u></p>
<p>John Cox</p>	<p>The community should be effectively involved in the formative stages of plan-making. Kensington &amp; Chelsea Council must set out how it will incorporate the views of the community having consulted with them.</p>	<p>We agree that the community should be involved in the formative stages of plan-making. This is outlined in our fourth Principle of engagement which</p>

	<p>2. Local expertise: The SCI should set out how it will effectively utilise the rich wealth of knowledge and understanding of existing communities within Kensington &amp; Chelsea in formulating planning policy, particularly around positively addressing existing communities' needs (rather than simply providing demographics). It should highlight that since the impact of large-scale development will impact both those within Kensington &amp; Chelsea and beyond. It should also set out how existing and new communities in developments will be brought together to inform Kensington &amp; Chelsea Council's planning policy.</p>	<p>states that we will champion early engagement in planning matters. Section 5 of the document explains the various stages during the plan-making process in which residents and stakeholders have the opportunity to submit their views. Paragraph 5.16 explains that the options for drafting policies will be determined through feedback received from stakeholders and residents which explains how the Council incorporates the views of the community into its plan-making decisions.</p> <p>2. The Council values all views from the community and the residents' wealth of knowledge and understanding. The document sets out how we will involve all our communities in all aspects of planning. New communities will be particularly relevant in the <b>post development stages and this can be set out in point 8 of Figure 3 (Principles of engagement)</b>.</p>
Claire McLean Canal & River Trust London	<p>The Trust is not currently a statutory consultee on planning policy but recognises and values the important role of planning policy in not only protecting its network of canals, rivers and docks from inappropriate development, but also in unlocking the potential of the inland waterway network for the greater benefit of an area and its communities. Our waterways can provide significant benefits in terms of wellbeing and we believe that the formation of planning policy that identifies and includes approaches for promoting access to our network is highly important for helping to realise the positive benefits of our network to local communities.</p> <p>Given the multi-functional nature and varying characteristics of the waterways there is no 'one-size fits all' planning policy and we believe there is a need to strengthen existing planning policy at all spatial levels to provide a robust policy framework that supports canals, rivers and docks as a cross-cutting policy theme. The Trust would therefore wish to be engaged with in the production of those policy documents relevant to its waterways.</p> <p>We welcome reference to the Council's Planning Policy database of stakeholders. I believe the Canal &amp; River Trust are already included in this database, but just to check, I would be grateful if the contact email could be <a href="mailto:planning@canalrivertrust.org.uk">planning@canalrivertrust.org.uk</a></p>	<p>Comments noted. Your contact details are in our consultation database so you will be informed of forthcoming consultations.</p>
Savills Thames Water Utilities Ltd	No	Comments noted.
Richard Grantley Milner Street Area Residents' Association	<p>General</p> <p>1. The draft is disappointing and rather thin on detail. Overall, it contains rather less than the previous Involving People in Planning (IPIP) document from 2103, which it is intended to replace. In some sections (e.g. on planning applications) there is very much less detail than before, and this is a loss.</p>	<p>1. Comments noted. The Draft SCI is designed to be more accessible and easier to navigate than the previous Involving People in Planning (IPIP) document. This has been achieved by improving the layout of the document by using diagrams, tables and colour coding individual sections</p>

	<p>2. The responses from consultation in March-April 2019 have not been included in the document. There are only 2 "proposed changes" shown in the whole of the 24-page analysis of responses to comments – and both of these refer to a future document on pre-applications which has not yet been written. Therefore the statement in section 1.9: "This Draft SCI reflects the feedback we have received" is not accurate, and should either be deleted or (preferably) amended to explain that only these 2 proposed changes will be made, in a new document at some stage in the future.</p> <p>3. The statement aims to "prioritise" the use of social media, including Facebook, Twitter and Instagram to "promote planning policy consultations and opportunities to discuss major planning applications". This may possibly be a helpful addition to current communication methods, but must not, in any way be prioritised over existing methods. Many residents moreover do not use Facebook, Twitter or Instagram, so there is a danger of excluding whole sections of the community. All information should be equally available to those using established methods that are used by all (emails, letters and the Council's website).</p>	<p>of the document. Planning jargon has been reduced in order to ensure there is not too much unnecessary dialogue and the text is concise and easy to follow.</p> <p>2. Comments noted. The Draft SCI does include feedback with commitment to change the pre-application service and to form a new design review panel. It also goes beyond minimum requirements and encompasses a whole range of planning issues including enforcement and post - implementation stage. It is acknowledged that more detailed guidance on development management procedures needs to be produced as the principles have been outlined. This will be produced early in 2020.</p> <p>3. The Consultation techniques in section 3 highlights the various consultation methods that the Council will use in order to reach out to communities and stakeholders. Social media/digital platforms are intended to supplement traditional means of consultation not as a replacement. There will always be the opportunity to provide longer responses as was the case in the Draft SCI consultation. Figure 4 will be modified to read: We will <b>prioritise use</b> social media (...)</p>
<p>Michael Stephen The Chelsea Society</p>	<p><b>GENERAL POINTS</b> This document has been produced because the Council are required to do so by s. 18(1) of the Planning and Compulsory Purchase Act 2004. This should be stated. It seeks to explain how the Council will involve local people in planning decisions, but people cannot participate effectively in the planning system unless they have a basic understanding of what town planning is. The draft document assumes that they have that understanding and goes straight into detail, but we consider that the first chapter, or a separate document on the website linked to it, should be a simple explanation of what town planning is, and should contain at least the following information: Some people think that the Council has power to decide what buildings shall be built, where and when, and has power to require it to be done. In fact, the basic principle in British planning law is that people who own land and buildings are free to use them as they please, and may be restricted from doing so only if that restriction is necessary to give effect to a public interest of sufficient importance to justify that</p>	<p>Comment noted, please refer to additional wording in paragraph 1.4.</p> <p>The purpose of the document is to inform residents and stakeholders when and how they can get involved in the planning process. The suggested wording is noted and the following variant will be added to para 1.6.</p>

<p>restriction of the owner's freedom. The powers given to local Councils by national government are therefore very limited.</p> <p>Local Councils have to decide how they would like to see the land in their area developed, or not developed, and they have to state their policies in a substantial document called a Local Plan (which is not just a map), but they cannot actually require any development to be done unless they own the land themselves. They have to wait until owners come forward with a development proposal (called a Planning Application) and then decide whether it complies with the policies in the Local Plan. The elected Councillors then have to consider the application and grant or refuse it. They usually delegate this responsibility to a Committee comprising five or six Councillors, and in the case of less controversial cases they delegate it to their paid officials. If the Council refuse a planning application, the applicant can appeal to an Inspector appointed by national government, but if they grant the application there is no right of appeal for local people. Representative organisations can however apply to participate in planning appeals as a "Rule 6 Party," which The Chelsea Society did at the Sutton Estate appeal. (It is essential that the Council is not seen by developers to be deterred from refusing applications in appropriate cases by the costs of an appeal).</p> <p>As RBKC is in Greater London people need to know in what circumstances a planning decision can be taken out of the hands of the Council by the Mayor of London, or by national government. They also need to know that the Mayor sets targets for the minimum number of dwelling units in the Borough for which permission must be granted in each year, and they need to know by what criteria these targets are set. This has an important effect on planning decisions, for if the targets are not achieved, future refusals of planning permission for dwelling units will effectively be overruled. Chelsea is one of the most densely populated parts of the entire United Kingdom, and there is simply not enough space for the number of dwellings that the Mayor expects to be built. Local people need to know what efforts are being made by their Council, their GLA member, and their MP to get these targets reduced. Local people also need to know how many of these dwellings will be affordable, and what is the difference between "affordable" and "social" housing. An additional problem is that many of the dwelling units built in Chelsea will be bought by people who do not live in Chelsea and will keep them empty for most of the year.</p> <p>Even when writing their Local Plan, the Council are not free to adopt any policy they please. They have to have regard to statutory provisions and case law, and to national and regional guidance, and they have to consult local people. Finally they have to submit their draft Plan to a Public Inquiry conducted by an Inspector appointed by national government. The Council should explain the three layers of planning policy documents – National Planning Policy Framework, London Plan, and Local Plan, and explain "Local Development Schemes" and "Planning Performance Agreements."</p> <p>If local people are expected to participate effectively in the planning process they also need to know what constitutes a material planning consideration and what does not, and they need to know what powers the Council does NOT have. They need to know, for example that the Council cannot refuse an application just because one or more applications have already been granted in the same street, and they cannot require permitted work to be done at any particular time. The Council may require the work to be commenced within a particular time limit, but that can be easily circumvented by digging out a bucketful of earth and claiming that the work has commenced. Thereafter there is no</p>	<p>"The planning system works in the public interest. It seeks a balance between the rights of individual land owners to enjoy their property whilst ensuring that impacts on others are minimised. Effective consultation at the right time can help achieve this balance. "</p> <p>Comments noted. The intention is to keep the SCI focused on principles and commitments on engagement. Setting out the details outlined will make the document too complex. This information is available in the recently adopted Planning Contributions SPD (paragraph 6.12) which also sets out the schemes that are referred to the Mayor.</p> <p>The Council is one of two local planning authorities in London who has managed to reduce its housing target in the emerging London Plan based on evidence.</p> <p>Noted. The Local Plan has to be in conformity with National Policy and The London Plan. This hierarchal structure is outlined in the Policy Framework section of The Local Plan. <u>We will explain this process further at the beginning of paragraph 5.4.</u></p> <p><u>"To develop the Local Plan, the Council has to have regard to statutory provisions, case law, and national and regional guidance. The Local Plan is consulted and undergoes public examination conducted by an Inspector appointed by national government."</u></p> <p>We have noted your concerns regarding what constitutes a material planning consideration. We</p>
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	<p>time limit and the work may progress intermittently for many years, often disfiguring the street by hoardings and scaffolding. These, and other, deficiencies in planning law need to be addressed with with national government, and local people need to know what (if anything) the Council is doing about it.</p> <p>Local people also need to know what Construction Management Plans and Construction-Traffic Management Plans are, and to what extent a development may be restricted or refused if in the particular location it is impracticable to carry out the work without subjecting local people to an unacceptable diminution in the quality of their lives.</p> <p>They also need to know what Planning Performance Agreements are, and in what circumstances the Council can be expected to write a Special Planning Document. What are “planning conditions” and what is a “discharge of condition?”</p> <p>We think that “Planning and Place” is a silly name for the Council’s planning dept. Some changes are necessary at RBKC but this is not one of them.</p>	<p>recommend that you visit our website and navigate to the section relating to <a href="#">Planning Applications</a>. Within this section there is an abundance of information relating to how the Council determines planning applications and what constitutes a material planning consideration. The <a href="#">Planning Portal</a> has also information on material considerations.</p> <p>There is information on <a href="#">Planning Performance Agreements</a> and <a href="#">discharge of conditions</a> on the Council’s webpages include information clarify those terms.</p> <p>Noted.</p>
Victoria Kirkham Natural England	(Please Note: Officer name aligned to consultation email address has changed- new officer for this consultation is Sharon Jenkins)	Thank you for informing us of this change. <b>We will update our consultation records to reflect this information.</b>
Nicholas Gould Pelham Residents Association	<p>The Pelham Residents Association consists of the 51 houses in Pelham Place and Pelham Crescent. This response to the draft Statement of Community Involvement is submitted on behalf of all the residents in those 51 houses.</p> <p>The members of the Pelham Residents Association strongly oppose the proposal to collect the views of residents, and even to conduct snap polls, by means of social media. Social media is unreliable and open to abuse and is generally uncheckable.</p> <p>As to other aspects of the draft Statement, the members of the Pelham Residents Association have seen and considered the response submitted to you by the Milner Street Area Residents Association by email on 18 October 2019, and agree with the views set out there and adopt them</p>	<p>Noted.</p> <p>Opposition to the use of social media is noted. However, use of social media has been misunderstood. We are not conducting any polls through social media but using the power of social media to publicise consultations. The Council will use its own tailored digital platform to conduct any surveys or polls. This will supplement not replace traditional means of consultation.</p> <p>Noted.</p>

**Question 3. Do you agree with our “Principles of Engagement” set out in Section 2 or do you think there should be other or somewhat different principles that should also be included?**

Name and Organisation	Response	Council’s Comment
Michael Bach Kensington Society	<p>PRINCIPLES OF ENGAGEMENT (para 2.1)</p> <p>10. In item 4, we are not clear what "identification of support" means.</p> <p>Bach: 2. PRINCIPLES OF ENGAGEMENT</p> <p>5. Proactive engagement should apply throughout – wherever/whenever appropriate</p> <p>7. engagement with developers – strengthen to reflect community’s expectations</p> <p>8/9. Feedback from residents at pre-application stage should be available to planners, especially for large projects. This requires a change in culture, which articulates what a commitment to early engagement actually means.</p>	<p>1.This term does create confusion so Point 4 will be modified to read: We will champion early engagement in planning matters, involving residents and other stakeholders. This will apply to <del>our identification of support and concerns</del> both, in policy development terms and in relation to individual applications.</p> <p>5. Comment noted, early engagement is committed in the SCI.</p> <p>7 and 8/9. Comments noted. Early engagement will involve developers having a structured engagement forum with residents for feedback so planners will be aware of their views.</p>
John Cox	<p>2. Local expertise:</p> <p>The SCI should set out how it will effectively utilise the rich wealth of knowledge and understanding of existing communities within Kensington &amp; Chelsea in formulating planning policy, particularly around positively addressing existing communities’ needs (rather than simply providing demographics). It should highlight that since the impact of large-scale development will impact both those within Kensington &amp; Chelsea and beyond. It should also set out how existing and new communities in developments will be brought together to inform Kensington &amp; Chelsea Council’s planning policy.</p>	<p>2. The Council values all views from the community and the residents’ wealth of knowledge and understanding. The document sets out how we will involve all our communities in all aspects of planning. <b>New communities will be particularly relevant in the post development stages and this can be set out in point 8 of Figure 3 (Principles of engagement).</b></p>
Savills	N/A	Response noted.

Name and Organisation	Response	Council's Comment
Thames Water Utilities Ltd		
Richard Grantley Milner Street Area Residents' Association	3. The statement aims to "prioritise" the use of social media, including Facebook, Twitter and Instagram to "promote planning policy consultations and opportunities to discuss major planning applications". This may possibly be a helpful addition to current communication methods, but must not, in any way be prioritised over existing methods. Many residents moreover do not use Facebook, Twitter or Instagram, so there is a danger of excluding whole sections of the community. All information should be equally available to those using established methods that are used by all (emails, letters and the Council's website).	Opposition to the use of social media is noted. However, use of social media has been misunderstood. We are not conducting any polls through social media but using the power of social media to publicise consultations. The Council will use its own tailored digital platform to conduct any surveys or polls. This will supplement not replace traditional means of consultation. Figure 4 will be modified to read: We will <b>prioritise use</b> social media (...)
Councillor Hamish Adourian RBKC	<p>2.1 It's good to know we will be continuing to...obey the law! Could this be rephrased, or removed? "We will continue" probably isn't the best way of putting this.</p> <p>2.2 This is only one of two places in the document where ward Councillors are mentioned. Therefore, since most people don't really make any distinction between ward Councillors and the wider Council as such, its probably best to remove this and move it to a separate document outlining the role of ward Councillors in the planning process. The focus for this document is on resident engagement. Otherwise, this looks like an afterthought.</p>	<p>Comment noted. Not everyone knows we have to work within the planning legislation so we need to include this to manage expectations.</p> <p>Comments noted. The use of Ward Councillors is relevant as they are the ones who will be invited to meet major sites case officers. No change required.</p>
Susanna Trostdorf Onslow Neighbourhood Association	It does not matter how many people you contacted but how interactive the discussion is. Sending 100.000 emails out is not an issue but that does not guarantee community engagement. A collaborative approach is very much welcomed but needs to be on different levels; easy and continued digital communication with residents, resident associations, other bodies/stakeholder groups is key. I think the Statement needs to spell out and define who the stakeholders/bodies are and how you plan to engage with them. A simple table would be great and you could create links to the different actions, Sign up newsletters, listening forums, etc. Proactive engagement should be done across the stakeholders and not only focus on young people. Again here you need to outline better by what means you intent do proactively engage. Important here, not the least because of the recent history of Kensington Forum Hotel as well as well as the current discussion about the South Kensington Station Redevelopment is the communication the information that such is/has happened and afterwards the disclosure of what was provided as the pre-planning advice by RBKC.	Sending the message out/publicising the consultation to 135,000 individuals is not something we can achieve through traditional means of communication and this can only be a good thing. Opposition to the use of social media is noted. However, use of social media has been misunderstood. We are not conducting any polls through social media but using the power of social media to publicise consultations. The Council will use its own tailored digital platform to conduct any surveys or polls. This will supplement not replace traditional means of consultation.

Name and Organisation	Response	Council's Comment
	<p>Within these Draft Statement of Community we believe that you need to define and clarify who the bodies are you like to consult and what their roles are. Here specifically I am missing the definition of the role that you envision local Resident Associations (RAs) to play. Local resident associations are the ones mandated by their local residents to represent and interact with RBKC on their behalf and so they should have a major role and are empowered in this new community involvement.</p> <p>Pre-application Advice has been a big issue in terms of communication. The Draft Statement lacks what and how you plan to engage, communicate and interact with planners/residents/etc.in terms of feedback to the parties what have not requested the pre-application advice. This specifically key for larger project where we believe there needs to be a change in process and disclosure among the different stakeholders at the onset. <u>It is key to get early by the major local groups like RAs, ADVC, businesses etc.into the pre-application advice.</u> There needs to be a definition of a specific process of disclosure and engagement.</p>	<p>We will set out the procedure for early engagement with regards to pre-application for major planning applications early in 2020.</p> <p>Paragraph 5.5 of the SCI explains who the consultation bodies are and include Residents' Associations. These are on the Planning Policy Database and are consulted. We would expect Residents Associations to fully engage in our consultations and represent members of their communities to ensure that their member's views are taken into consideration.</p> <p>Paragraph 6.4 of the SCI explains that we will be developing a new planning advice service in early 2020 and as part of this, we will be preparing a procedure note which will set out the details of the new service.</p>

**Question 4 Do you have any comments on Consultation Techniques as set out in Section 3? Have we missed any?**

Name and Organisation	Response	Council's Comment
Michael Bach Kensington Society	<p>CONSULTATION TECHNIQUES (para 3.1 and Figure 4)</p> <p>11. Figure 4, first indent: the "traditional written methods" should also always include the option of replying to consultations by sending a standard email to an email address, as we believe that there is a significant minority who do not like using online forms. We recognise, however, that this causes more work for the Council and accept that it should not be encouraged. The online forms should include a facility for sending photos, plans etc.</p> <p>12. Figure 4, fourth indent: we suggest that you should be frank about what "being mindful" actually means. If you are not going to be able to send written communications in all cases, you should add a sentence to the effect "and wherever practicable we will try to accommodate this preference, particularly in the case of those for whom online communication is difficult".</p>	<p>11.Comment noted. It is always possible to send emails although as acknowledged it is not the preferred means. Our consultation portal (Inovem) form does allow attachments.</p> <p>12. Thank you for your feedback. The bullet point referred to relates to the Council recognising that some residents and stakeholders prefer the Council to communicate with them</p>

Name and Organisation	Response	Council's Comment
	<p>13. Figure 4, second indent says you will use email to update people, and the third indent then refers to the database. This is confusing as it suggests there are two systems, whereas we assume that the emails will be round robins to the people on the database.</p> <p>14. Figure 4, fifth indent: this introduces out of the blue the Local Plan which we suspect most residents know nothing about. We suggest it is deleted to avoid muddle – the Local Plan consultation is covered by the more generic second indent, and it can be explained further on in the document. Moreover, this document is supposed to have a 5-year life, so should not mention things that may be over before then.</p> <p>15. Figure 4, sixth indent: replace "prioritise" by "use" (see paragraphs 2-4 above).</p> <p>16. Something seems to have gone wrong in the final indent on site visits.</p> <p>17. Civic and amenity societies and residents' associations are barely mentioned and yet they are one to main routes for dissemination of information to their membership. They are often the most experienced at navigating the planning system. They are also most likely to provide greatest scrutiny and provide positive suggestions. This should be recognised. Add an extra indent to Figure 4:            "We will involve Civic and amenity societies and residents' associations which often have vital local knowledge and which have an important role in disseminating information to their members and in conveying local views."</p> <p>Bach: 3. CONSULTATION TECHNIQUES</p> <p>Figure 4:</p>	<p>using methods such as letters, emails or local press. The objective is to inform residents who state the preference for traditional methods of communication that we will meet their needs.</p> <p>13. Comment noted. <b>It is agreed that the text is referring to policy consultations and we will refer to this in the text.</b></p> <p>14. Before coming to figure 4, Figure 1 does provide a brief summary of the <b>Local Plan</b>. We will delete reference to Local Plan so it will read <b>"We will advertise major planning consultations in the local press."</b></p> <p><b>15. Comment noted and agreed.</b></p> <p>16. Thank you for pointing out this mistake. <b>The text in figure 4 will be reviewed as it repeats the bullet above and makes no reference to site visits. It will be rewritten to refer to sites visits as originally intended.</b></p> <p>17. The table is setting out consultation techniques not who we will consult with. Residents' Associations are recognised as an important consultee. Paragraph 5.5 of the SCI explains who the consultation bodies are. The regulations are explicit on what the general consultation bodies are, and this includes <i>"voluntary bodies some or all of whose activities benefit any part of the local planning authority's area."</i> <b>A link to the regulations will be added to footnote 1.</b></p> <p>3. Consultation Techniques</p>

Name and Organisation	Response	Council's Comment
	<p>Traditional This should include newsletters both on the website and as direct emails, which used to be sent to a mailing list.</p> <p>Digital: disagree that these should be prioritised. New techniques should include be used new techniques for exploring what action is needed, such a Commonplace which has been used by Highways and Traffic.</p> <p>Face-to-Face: This should include forums, such as listening forums, specialised meetings, such as were held to develop the code of construction and construction management plans, and meetings with groups, such as regular meeting with civic and amenity groups.</p>	<p>Figure 4. Unfortunately, we cannot guarantee the inclusion of newsletters as a traditional written form of communication.</p> <p>The Council is not implying that the methods of consultation within Digital communication will be prioritised over all other forms of consultation, rather it is conveying that this new form of technology offers an alternative method to engage a younger audience in consultation.</p> <p>Noted. Paragraph 6.8 of the SCI explains that we will be introducing residents' forums the detail of which will be set out in the procedure note. The procedure note will be produced in early 2020.</p>
Henry Peterson St Quintin and Woodlands Neighbourhood Forum	At 3.1. there is an unfinished sentence reading We will advertise major consultations and stages of the Local Plan's preparation in the local press. letters, and so we should make.....?	Comments noted. Thank you for your observation. <b>We will correct this error in the finalised version of the document.</b>
Claire McLean Canal & River Trust London	<p>Consultation on Planning Applications</p> <p>The Trust is a statutory consultee in the development management process and LPAs are required to consult us before making a decision on certain types of planning applications likely to affect our waterways. We note reference to consultation with the various statutory and non-statutory consultees within the SCI.</p> <p>For your information, details of the defined areas where we should be notified of any planning applications likely to affect our waterways can be found at <a href="https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/planning-applications/our-notified-area">https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/planning-applications/our-notified-area</a></p> <p>Full details of the legislative background for consultation with us and our duty to respond can be found at <a href="https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/planning-applications/when-to-consult-us">https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/planning-applications/when-to-consult-us</a></p> <p>Our waterways are multi-functional assets and as such there are a wide range of matters of potential interest to us. We are more than happy to enter into discussions, with local planning authorities (LPAs) and applicants/developers and positively encourage pre-application discussions so that any issues and potential mitigation can be highlighted early in the planning process. We can also direct applicants to other areas of the Trust for advice in our capacity as landowner such as access and discharges to the waterway.</p> <p>The NPPF highlights the benefits of early engagement and states that LPAs have a key role to play in encouraging parties to take maximum advantage of the pre-application stage and should encourage engagement with statutory and no-statutory consultees before submitting their application. We believe this should be reflected in the SCI and would welcome either a commitment to include statutory consultees where appropriate in the LPAs own pre-application process or to direct applicants to relevant statutory consultees for preapplication advice as part of this process. Paragraph 7.18 could be amended to read: "Applicants are expected to engage with the local community and relevant statutory consultees as part of the pre-application process"</p>	Thank you for your informative comments.
Savills	No	Response noted.

Name and Organisation	Response	Council's Comment
Thames Water Utilities Ltd		
Martyn Baker Lots Village, Chelsea Association of Residents and Businesses	<p>3. THE WILLINGNESS OR OTHERWISE OF THE COUNCIL AND ITS OFFICERS TO RESPOND WITHOUT FOOT-DRAGGING TO THE LEGITIMATE CONCERNS OF LOCAL COMMUNITIES.</p> <p>Over the last year there have been increasing examples of letters or emails to the Council not being answered or even acknowledged or only responded to weeks later. We have a growing impression that the Council does not truly wish to engage in an ongoing dialogue with local communities by actively treating them as STAKEHOLDERS, both in the preliminary stages of informal consultations well before formal planning applications are submitted (leaving only three weeks for objections), and also in the subsequent handling by officers of applications to meet/modify planning conditions, approve CTMPs and SCMPs, and grant exemptions. SURELY IN THE CASE OF THE LARGEST STRATEGIC DEVELOPMENT SITE IN CHELSEA ONE OFFICER SHOULD HAVE OVERARCHING ACCOUNTABILITY AND BE RESPONSIBLE FOR ADDRESSING THE CONCERNS AND PROTECTING THE AMENITIES OF THE LOCAL COMMUNITY.</p>	<p>The Council are very keen to engage all residents within the borough in the planning process. It is important that all voices are heard so that they can actively participate in helping to shape policies that support the construction of new homes, jobs, schools, parks, infrastructure and community spaces in the borough. We want residents and stakeholders to be at the heart of decision making, this is why we have developed the SCI in order to communicate how residents, businesses, and community groups can get involved in the planning process.</p> <p>We apologise if you had negative experiences in terms of communicating with the Council in the past. We would like to reassure you that we have every intention of engaging with our residents in a timely manner and stakeholders in terms of getting them to submit comments to consultations</p>
Richard Grantley Milner Street Area Residents' Association	<p>6. The statement in section 3.1: "We will email updates from a database to keep people updated on all relevant planning matters" does not reflect current practice. For example, the Council did not email people to tell them (i) that it would remove comments on planning applications from the planning website after applications have been determined or withdrawn, or (ii) that it would introduce a Code of Conduct for planning officers, or (iii) that it would renege on its proposal that Site Construction Management Plans be approved by the "local planning authority" rather than the Council's Construction Management Team, or (iv) that it would discontinue issuance of its Planning Bulletin which was, indeed, a useful way of keeping people updated. It would be useful for the Statement to include an explanation of which planning matters the Council do, or do not, intend to keep people updated. The Planning Bulletin, or something equivalent to it, should be revived.</p>	<p>The Council will seek to contact residents and stakeholders who have registered to our consultation database regarding relevant planning matters such as consultations, exhibitions or planning applications.</p> <p><b>We will reword the sentence to clarify that Planning only has one database (Planning Policy Database) used to email the updates.</b></p> <p>We will also engage with the Council's Media and Communications team to reintroduce the Planning Bulletin on a monthly basis. We will monitor the effectiveness of communicating through the Planning Bulletin and keep this under review as technologies change.</p>

Name and Organisation	Response	Council's Comment
Councillor Hamish Adourian RBKC	3.1 We probably need to have a debate about whether such citizens' panels are suitable, or whether more focus should be placed on helping strengthen RAs so they are more representative.	Comments noted. We are seeking to reach out to a wide range of audience and citizens panels are a part of this.
Nicholas Gould Pelham Residents Association	<p>The Pelham Residents Association consists of the 51 houses in Pelham Place and Pelham Crescent. This response to the draft Statement of Community Involvement is submitted on behalf of all the residents in those 51 houses.</p> <p>The members of the Pelham Residents Association strongly oppose the proposal to collect the views of residents, and even to conduct snap polls, by means of social media. Social media is unreliable and open to abuse and is generally uncheckable.</p> <p>As to other aspects of the draft Statement, the members of the Pelham Residents Association have seen and considered the response submitted to you by the Milner Street Area Residents Association by email on 18 October 2019, and agree with the views set out there and adopt them</p>	<p>Opposition to the use of social media is noted. However, use of social media has been misunderstood. We are not conducting any polls through social media but using the power of social media to publicise consultations. The Council will use its own tailored digital platform to conduct any surveys or polls. This will supplement not replace traditional means of consultation.</p> <p>Noted.</p>
Susanna Trostdorf Onslow Neighbourhood Association	<p>Consultation techniques should include regular proactive notification of bodies and people, e.g. via email or newsletters, which li include in digital, but it needs to comprise also face to face meetings, exhibitions and forums. Links to the relevant documents from these mailings or newsletters should be easily accessible and updated. Every information or posting available on the website should have date and time when it was posted and if possible when planned to be reviewed.</p> <p>Very important and key is that SPDs should include Design/Development briefs for major sites that are not articulated in the Local Plan! This should be done via a predetermined process with the major bodies. notably including the RAs. There should be a clearly defined strategy for a town center/local high street. There should be a consultation about the content of the Design/Development briefs before the draft is prepared to ensure that the draft includes all issues that have been identified. Local focus groups in which the relevant bodies participate should be the platform.</p>	<p>Comments noted. Our SCI sets out the consultation techniques listed. The Council's website is undergoing an update and dates and times may be available in the future as suggested.</p> <p>Noted. Paragraphs 5.24 to 5.32 of the Draft SCI acknowledge that SPDs can be site specific as suggested. Figure 6 sets out the means of engaging on these and includes the techniques suggested.</p>

**Question 5 How do you feel about Digital Engagement in Section 4? Will this make it easier for you to respond if you can't come to an event?**

Name	Response	Council's Comment
Michael Bach Kensington Society	<p>DIGITAL ENGAGEMENT (paras 4.1-4.7)</p> <p>17. Paragraph 4 introduces for the first time the term "Planning and Place". Very few people will know that this is the new – and rather baffling – name for the Council's Planning Department. It therefore needs some explanation – perhaps "the new name for the Council's directorate of planning and building control".</p> <p>Bach: 4. DIGITAL ENGAGEMENT:</p>	<p>17. Noted. Paragraph 4.1 will be amended to read: <u>Planning and Place (the Council's Planning Department) is committed</u></p>

Name	Response	Council's Comment
	<p>4.5 A key issue for the whole document is to rebuild public trust by producing regular updates. Rebranding of the department is the opportunity to change public perceptions and restore trust.</p> <p>All webpages should be dated and kept up to date to be both useful and credible.</p>	<p>Noted.</p> <p>Noted. The Council's website is undergoing an update and <b>dates and times may be available in the future.</b></p>
Savills Thames Water Utilities Ltd	N/A	Comment noted.
Richard Grantley Milner Street Area Residents' Association	<p>3. The statement aims to "prioritise" the use of social media, including Facebook, Twitter and Instagram to "promote planning policy consultations and opportunities to discuss major planning applications". This may possibly be a helpful addition to current communication methods, but must not, in any way be prioritised over existing methods. Many residents moreover do not use Facebook, Twitter or Instagram, so there is a danger of excluding whole sections of the community. All information should be equally available to those using established methods that are used by all (emails, letters and the Council's website).</p>	<p>Response noted. Figure 4 will be modified to read: We will <b>prioritise use</b> social media</p>
Michael Stephen The Chelsea Society	<p>COMMUNICATIONS</p> <p>This is fine in theory, but we think the Council should spend less time talking about communicating and more time actually doing it. We question whether the Council is as pro-active as they claim to be in seeking the views of Residents Associations or organisations like the Chelsea Society. We have for example had to ask for pre-app reports to be put on the website. Also, on 10th October we sent to RBKC our views on the proposed redevelopment of South Kensington Station, and have had no response.</p> <p>One of our members is the convener of a Residents Network. He says, "I hardly ever receive any direct correspondence from the Council; and there have been several recent instances where we have only found out about an initiative because someone else has drawn it to our attention." Even The Chelsea Society is not always informed about an initiative affecting Chelsea.</p> <p>The Planning Bulletin should be re-introduced and should be sent by e-mail to all subscribers to MyRBKC.</p> <p>We agree that the Council should use e-mails, and social media, as electronic communication is much cheaper, quicker, and easier than paper-based communications. Particularly useful are the E-NOTIFY alerts to which people can subscribe via "MyRBKC." These give notice of planning applications and decisions, but should also include notice if a significant amendment has been made to an application.</p> <p>However, not everyone is yet able to use electronic communication, and the opportunity must always be given for people to use the traditional methods of communication and to send photographs, plans, etc. Online forms may be convenient for Council officers but some people have difficulty using them, and they are often too restrictive. The Council should always send hard copies of documents when requested, on payment of an appropriate fee.</p> <p>We are not in favour of snap polls and opinion surveys, but if the public are to be consulted in this way, it is important that the questions are properly formulated, that there is adequate information on which people can form a view, and that there is sufficient time for people to respond. The consultation must include all people likely to be affected, and not just the immediate neighbours.</p> <p>We have had occasion to complain to the Council about a survey which did not ask about an important aspect of a proposal, and where general support was taken to include support for that particular aspect. If there was any support for that aspect it is strange that The Chelsea Society and the local Residents' Associations did not know about it. It is therefore important if these surveys are to have any credibility that the relevant local representative organisations are consulted on the design of the survey and the interpretation of its results. The Council and developers must be careful not to claim public support where it does not exist.</p>	<p>Noted. We apologise if you have not received correspondence regarding particular planning applications. Pre-application documents are placed on-line when a planning application is submitted. We will engage with the Council's Media and Communications team to reintroduce the Planning Bulletin on a monthly basis. We will monitor the effectiveness of communicating through the Planning Bulletin and keep this under review as technologies change.</p> <p>The Council recognises that not everyone is conversant with electronic communication. We accommodate this by ensuring that traditional forms of communication are encouraged and promoted to be used by groups that are used to using this form of consultation method when communicating with the Council. Our consultations will provide an array of methods for residents to have their say so that no-one is left out and everyone's opinion is valued. All the consultation techniques listed in the consultation techniques section are all given</p>

Name	Response	Council's Comment
	<p>The Council says it will pilot new technologies, such as VuCity and Q Codes to help residents see what developments will look like. This could be very useful, and we would like to see a demonstration.</p> <p>The Council wants developers to actively seek residents' and businesses' views ( 2.1 (7)). This is fine in theory, but a poorly attended public exhibition arranged by a developer is not very useful, and is no substitute for thorough consultation with the local representative organisations in the pre-application stage. There is always a danger that the developer will claim that attendees showed more support for the scheme than they actually did. There should be a Code of Practice for public consultation by developers.</p> <p>Meetings held by the Council give the impression that the Council is listening, but all too often the Councillors and officers are doing most of the talking.</p>	<p>equal weighting. Digital communication through social media is given the same level of importance as traditional methods (such as website, letters, emails etc). Surveys will be designed to be thorough and easy to understand.</p> <p>VuCity is an accessible interactive 3D model of the City. It has the advantage in that it can help provide a 3D-model of a proposal in an area and its visual impact. We would be happy to demonstrate this technology at an appropriate time.</p> <p>We are not aware of any instance where support has been claimed by the planning department without adequate evidence.</p> <p>The Council will willingly engage with developers to ensure that they conduct thorough consultations which actively engage residents and stakeholders.</p>
Councillor Hamish Adourian RBKC	4.3 An important point. Showing how public engagement has actually had an impact is a great way of building trust and confidence in the system.	Noted.
Susanna Trostdorf The Chelsea Society	<p>I would like to make a comment about the Digital Engagement Platform. It is a very crude questionnaire. The constant feedback about if one answered in line with the majority or not is disturbing as it implies somewhat that it is the target is to go with the majority. If one answers that it is a minority one feels that somewhat being off the line. This somewhat defies the purpose to get a balance and/or diverse feedback. With this feedback "82% in the neighbourhood provided the same input" implies somehow that you are looking for a consolidated view.</p> <p>I have done a lot of questionnaire in my life but this feedback after every question x% answered similarly is very unusual. Also what would be the feedback if one does the questionnaire within the first 10 people answering, which is not statistically meaningful. Hence normally one can opt at the end of the questionnaire to get the statistical overview of the FULL survey once it is closed and statistically sound. One does not have any clue how many people participated when doing the questionnaire and so the information could be misleading.</p>	<p>Thank you for your feedback on the questionnaire. Other respondents' feedback is not visible until after the question has been answered. Therefore, this cannot influence how a user answers a question.</p> <p>The aim for the questionnaire is to ask key questions and to enhance engagement and awareness of Planning Issues. However, snap polls will not replace traditional consultations and responses obtained will be considered on their merits. The Built ID report shows the</p>

Name	Response	Council's Comment
		poll results included in the responses to the SCI consultation.

**Question 6 Do you have any comments or feedback on the details of consultation as set out in Section 5: Planning Policy?**

Name and Organisation	Response	Council's Comment
Michael Bach	<p>PLANNING POLICY (paras 5.1- 5.23)</p> <p>18. This section should have a brief introductory session explaining the three layers of planning policy documents – NPPF, London Plan and Local Plan – so people know what they are when they are mentioned later in the document. In paragraph 5.1, insert instead of the second sentence: "In London there are three levels of planning policy document, all of which apply to the way planning applications are determined: Central Government's National Planning Policy Framework [hyperlink]; the London Plan [hyperlink]; and RBKC's Local Plan [hyperlink] and associated documents."</p> <p>19. In the following sentence replace "we produce" by "the Borough produces". In the following paragraph insert "our" rather than "the" before "programme".</p> <p>20. Paragraph 5.2. We think the Local Development Scheme should be updated at least annually.</p> <p>21. Paragraph 5.18 and 5.19: you have already described all the various means of communication in Section 4; it should not be necessary to through them all again for each item. Replace these paragraphs by: "At this stage once again we will make appropriate use of social media and other digital technologies as well as more traditional methods to publicise consultation (see Figure 4)".</p>	<p>18. The SCI is a document which sets out how the Council intends to involve the public in planning. It is not the document which seeks to explain the planning system and the inter-relationship between the Local and the London Plan. This will merely add further complexity to a document which is intended to add clarity. <b>We will add the terms to the Glossary at the end of the SCI.</b></p> <p>19. Noted, however, it is the Council who produces policy documents, not "the Borough". "The Borough" is the geographical entity. No change.</p> <p>20. There is no statutory requirement to update the LDS on an annual basis. The Council will update this as and when required.</p> <p>21. Noted changes made.</p> <p>Delete paragraph 5.18 and 5.19 and replace with <b><u>At this stage once again we will make appropriate use of social media and other digital technologies</u></b></p>

Name and Organisation	Response	Council's Comment
	<p>22. Paragraph 5.22: The document ought to be as self-explanatory as possible, especially as nobody understands what "soundness" means. Add at the end: " – i.e. takes proper account of local needs; is justified by circumstances; is likely to be effective; and is consistent with national policy."</p> <p>23. A new paragraph needs to explain briefly the role of the inspector and how the public can participate in Inquiries: "A government Inspector will be appointed, who will invite interested parties to a hearing. If he decides that the document needs amendment, there may be further formal consultation. Once the Inspector is satisfied, the document will go to full Council for adoption."</p> <p>SPDs (paras 5.24-5.34)</p> <p>24. Paragraph 5.24: This refers to the first time to the "Development Plan". Very few people are conversant with the arcane and confusing language to describe the various planning policy documents and this reference just risks muddling people. We suggest that you simply refer to "guidance on the various national and local planning policies".</p>	<p><u>as well as more traditional methods to publicise consultation (see Figure 4)".</u></p> <p>22. Footnote 6 was intended to do so. It would be useful to explain what the tests of soundness are and this will be included in the footnote.</p> <p>Add to footnote 6 <u>Plans are considered to be sound if they are "positively prepared", "justified", "effective" and "consistent with national policy." These test of soundness are set out within the Government's National Planning Policy Framework.</u></p> <p>23. A reference to how the public can be involved in the examination of a Local Plan would be helpful, even if this involvement is at the behest of the Examiner rather than the Council. As this does relate to public engagement it would be appropriate to include within the SCI.</p> <p>Add after paragraph 5.22 <u>"A government Inspector will be appointed to examine the Plan. It is he/she who will invite interested parties to the hearing. If, as a result of the evidence heard at the examination, he/she decides that the document needs significant amendment, there may be further formal consultation."</u></p> <p>SPD 24. The proposed amendment will help simplify the section. Change made. Paragraph 5.24 will be reworded to read: <u>Supplementary Planning Documents (SPDs) build upon and provide more</u></p>

Name and Organisation	Response	Council's Comment
	<p>25. Paragraph 5.26 might also mention that strategies for a town centre, such as Kensington High Street, are another subject that can be covered by an SPD. "SPDs may also be suitable for setting out strategies for town centres and high streets and could be prepared with the aid of a focus group (in some cases there may be permanent groups), made up of the key stakeholders including local residents and businesses."</p> <p>26. In paragraph 5.28, a footnote/hyperlink ought to say who the statutory bodies are.</p> <p>27. Paragraph 5.29. This section should also say something about reviewing SPDs.</p> <p>28. The final column of Figure 6 could be omitted; it just repeats the consultation methods that have been described in this paper only too often and is likely to irritate. If you do keep this column, site visits should be added to the first item. We note that preliminary soundings are intended only "where appropriate". We would be interested to know on what sorts of things you would not consider preliminary soundings appropriate</p>	<p>detailed advice or guidance on development plan policies. We have two types of SPDs: those which relate to the development of a particular site or area, and those which relate to a borough-wide issue. SPDs are not subject to an independent examination and they do not form part of the development plan. They cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. 25. The paragraph is intended to provide examples of the type of SPD that may be produced. It is not intended to provide a comprehensive list. No change made.</p> <p>26. Noted. Footnote added to explain who the SA/SEA statutory bodies are.</p> <p><a href="#">The "statutory bodies" for SEA/SA are Historic England, Natural England and the Environment Agency.</a></p> <p>27. Noted. The process for reviewing an SPD will be the same as drafting a new one. Change made.</p> <p>Add after first sentence in paragraph 5.29: <a href="#">"The process is the same when reviewing an existing SPD or producing a new one."</a></p> <p>28. The graphical representation of possible consultation techniques is a useful summary, and as such will not be removed. This recognises that a site visit may be a potential consultation technique.</p> <p>Neighbourhood Plans (NPs)</p>

Name and Organisation	Response	Council's Comment
	<p>NEIGHBOURHOOD PLANS</p> <p>29. It is important that the document makes clear that the Council's role is essentially an enabling one.</p> <p>30. In para 5.33 the draft says in relation to neighbourhood plans "They have real legal force as they will contain the policies that will be read alongside those within the Council's own Local Plan and used to decide planning applications." StQW has always objected to the term 'read alongside' which featured in 2014-16 arguments with RBKC in the Jonathan Bore era. This phrase implies that case officers can choose between applying a RBKC policy or a NP policy. The NPPF position is clear (para 30) in stating "Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict".</p> <p>31. So a preferred alternative wording would be 'used alongside those within the Council's own Local Plan and applied where relevant in deciding planning applications, taking precedence over Local Plan policies where there is any conflict'.</p> <p>32. Figure 7 is helpful in setting out all the various activities the Council will be willing to undertake as part of its 'duty to support'. This covers the list that Locality has defined in its 'roadmap' on neighbourhood planning.</p> <p>33. One further requirement (set out at NPPF paragraph 21) is that a LPA should define which of its policies are 'strategic' as opposed to 'non-strategic' so that neighbourhood forums (and examiners) can apply the 'general conformity' requirements.</p> <p>34. The new 2019 RBKC Local Plan at 17.1.2 explains this in the following terms 'Planning policies are set out with a summary of the relevant evidence being provided as reasoned justification for the policy that follows. The policies are set in boxes. Each of the planning policies starts with a strategic policy which stands in its own right. Below this are the criteria of how the policy can be complied with, but the list is not exhaustive and addressing all the criteria may not necessarily indicate that a proposal is in conformity with the strategic policy. These criteria represent the non-strategic policies. Any policies in a neighbourhood plan, where one exists, should be in 'general conformity' with the strategic element of each policy set out in the Local Plan and once made the policies in the neighbourhood plan will take precedence over the nonstrategic policies of this Local Plan" (our emphasis).</p> <p>35. This an important statement for any future neighbourhood plans in the Borough, and should be restated or at least cross-referred to in</p>	<p>29. Paragraph 5.34 is explicit that NPs are prepared by local people/businesses and not by the Council.</p> <p>30/ 31. Noted. The Council recognises that the policies within a neighbourhood plan will "take precedence" where they are more recent than the policies within the Local Plan. The 2019 Local Plan is explicit in this regard. Amend paragraph 5.33 accordingly. Paragraph5.33 <u>They have a real legal force as they will contain the policies that will be used alongside those within the Council's own Local Plan and applied where relevant in deciding planning applications. The policies within the Neighbourhood Plan will take precedence over those within Local Plan where there is any conflict. <del>read alongside those within the Council's own Local Plan and used to decide planning applications.</del></u></p> <p>32. Support noted.</p> <p>33./ 34/35 The Council recognises its duty to define which of its policies are strategic in terms of neighbourhood Planning. However, this is not an exercise that would form part of a SCI. This is a document which sets out how the Council will involve the public, albeit with some limited explanation of the planning system. As recognised by the consultee, the Local Plan itself sets out this relationship.</p> <p>35. The SCI directs the public to the Council's neighbourhood planning pages. This is where the definition</p>

Name and Organisation	Response	Council's Comment
	<p>the SCI.</p> <p>36. Paragraph 5.41 says "The Forum must consult those living and working in the proposed area on both the validity of the forum and on the nature and the extent of the proposed area". This might be good practice but we are not sure that there is any statutory basis for the 'must'? It is very hard for an emerging forum to consult those 'working' in the area. And the 'validity' of a forum is not explained. Surely the statutory requirement placed on a forum, when making a designation application, is to demonstrate a membership of 21 or more and to show that the body is 'capable' of meeting the required criteria on open membership, geographic spread of members etc. Best to stick more closely to the wording of the 2011 Act?</p> <p>37. On para 5.50 on NICIL, perhaps 'increases' rather than 'will increase'. The NCIL requirements have been in place since 2013.</p> <p>ARTICLE 4 DIRECTIONS</p> <p>38. Redraft the first sentence of para 5.56 to: "Residents and other stakeholders may also propose Article 4 Directions and will be consulted when the Council initiates an Article 4 Direction."</p>	<p>of strategic and not strategic policies should be.</p> <p>36. Whilst the Council would welcome full engagement with those living and working within the relevant neighbourhood area it does not intend to suggest that a forum "must" go beyond the requirements of the Act.</p> <p>Amend paragraph 5.41 accordingly. <del>The Forum must consult those living and working in the proposed area on both the validity of the forum and on the nature and the extent of the proposed area".</del></p> <p><u>"The Council would encourage the Forum to consult those both living and working within the proposed neighbourhood area on the appropriateness of the forum and the nature and the extent of the proposed area."</u></p> <p>Add footnote <u>Further information is available in the Neighbourhood Planning webpages of the Council's website.</u></p> <p>37. Noted and agreed.</p> <p>Paragraph 5.50 This figure <del>will</del> <u>increase</u>s to 25% for those areas.....</p> <p>Article 4 Directions The Council welcomes the involvement of our residents and other stakeholders in the identification of possible future Article 4 Directions (A4D). Local knowledge is an invaluable resource and indeed a number of our existing A4Ds have arisen from suggestions from our residents. When considering whether it is appropriate</p>

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	<p>CONSERVATION AREA APPRAISALS (paras 5.57-5.58)</p> <p>39. This section should again make clear that there will be preliminary soundings and walkabouts before any draft is prepared. Redraft paragraph 5.58:</p> <p>"When preparing a new or revised Conservation Area Appraisal, the Council will take preliminary soundings of local residents and residents' associations and conservation societies and local Councillors, and will usually organise walkabouts, which are a good way to involve those interested in architecture and conservation. The Council will then prepare a preliminary draft on which they will consult for a six-week period, and Comments received will be considered in drafting the version of the document for adoption, and in some cases there may be a limited second round of consultation."</p> <p>40. We think that Conservation Area Management Plans ought to be mentioned as they are likely to be prepared during the lifetime of this document. The same stakeholders should be engaged to initiate and promote the management plan. There is major opportunity here for co-design, using the experience of civic and amenity societies and residents' associations</p>	<p>to make, and then confirm, an A4D we will consider the whether it is in the public interest, the statutory tests, the resource implications and whether such directions will render the Council open to compensation. As noted in the draft SCI the Council will consult our stakeholders before deciding whether to confirm an A4D. The Secretary of State also needs to confirm the Direction so the bar is high for approval and a compelling case must be made in the public interest.</p> <p>39. CAAS Comment noted. This reflects the current process. Paragraph will be amended 5.58 to read:</p> <p>"When preparing a new or revised Conservation Area Appraisal, the Council will take preliminary soundings of local residents and residents' associations and conservation societies and local Councillors, and will usually organise walkabouts, which are a good way to involve those interested in architecture and conservation. The Council will then prepare a preliminary draft on which they will consult for a six-week period. Comments received will be considered in drafting the version of the document for adoption and only if significant changes are proposed there will be a limited second round of consultation."</p> <p>The preparation of Conservation Area Management Plans (CAMPs) will follow a similar process to the preparation of Conservation Area Appraisals but there may be more engagement meetings where considered necessary. Two new</p>

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		<p>paragraphs will be added to the SCI after paragraph 5.58:  <u>Most conservation areas in the borough now have character appraisals. These documents define the special interest that has led to designation, and explains the contribution made by the different features of their character and appearance, as well as identifying threats and opportunities. A Conservation Area Management Plan for each will build on and respond to the appraisal and will inform future development to ensure that it is specific to the needs of, and conserves the special qualities of the conservation area.</u></p> <p><u>Planning legislation requires that the proposals for the preservation and enhancement of a conservation area set out in a management plan are submitted for consideration to a public meeting in the area to which they relate. Such meetings might include owners, residents' groups, amenity groups, businesses and community organisations. The Council recognises the advantages of public consultation in gaining support and momentum for the CAMPs, thereby improving their effectiveness.</u></p>
Michael Bach Personal capacity	<p>5. PLANNING POLICY</p> <p>5.2 Local Development Scheme: this should be updated annually – it needs publicity to let potential participants be aware of the menu.</p> <p>5.9 strongly support early engagement before drafting.</p> <p>5.11 support use of press releases but should also use dedicated newsletters.</p>	<p>Planning Policy</p> <p>There is no statutory requirement to update the LDS on an annual basis. The Council will update this as and when required. This may or may not be on an annual basis.</p> <p>Support for early engagement in plan making process is noted.</p> <p>We will engage with the Council's Media and Communications team to</p>

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	<p>5.13 Pre-engagement: It is not clear what this term means, especially if the Council is working collaboratively with residents and policies are being co-designed.</p> <p>5.14: The Annual Monitoring Report should be named and should be publicised – such as in a newsletter and a standing item for Select Committee.</p> <p>5.18. What does “we will support the use of digital technologies to publicise consultation” mean?</p> <p>SPDs</p> <p>Major sites which are not articulated in the Local Plan, should be subject to a design/development brief, with early engagement in its production. Some of the worst problems have occurred where the public has been excluded from the bilateral agreements reached through pre-application agreements. Examples include Dukes Lodge, Odeon and the Kensington Forum.</p> <p>Somewhere here should be an explanation that SPDs are not subject to an examination – the Council can adopt the SPD without an independent review. This makes proactive engagement/collaboration</p> <p>Also some SPDs will need to be reviewed, such as the Earl’s Court/West Kensington Opportunity Area SPD which totally out of date. Another type of SPD would be producing a strategy for a town centre, such as Kensington High Street using a focus group made up of the key stakeholders, including local residents.</p> <p>5.29/30 and Figure 6: There should be consultation on the content before the draft is prepared to ensure that the draft includes all the issues identified. This could be done using a local focus group. Insert a new pre-preparation stage.</p>	<p>reintroduce the Planning Bulletin on a monthly basis. We will monitor the effectiveness of communicating through the Planning Bulletin and keep this under review as technologies change.</p> <p>Paragraph 5.13 explains what the Council means by “pre-engagement”. However, the term Preliminary Consultation could be introduced instead.</p> <p>Support for publication of AMR noted. It is not for this SCI to specify what will or will not be considered by a given Scrutiny Committee. It has been to the PRSC when so required by the Chairman and was certainly brought to their attention previously.</p> <p>Please refer to Section 3 of the SCI which includes a table which sets out a range of “digital communication techniques.”</p> <p>SPDs The Council has committed to produce SPDs for the major development sites. This is an opportunity to allow the expectations of potential landowners to be managed. It also allows the Council to consider the capacity of a site and its potential contribution towards meeting our housing supply. Comments on the content/issues of the SPD could be given as part of consultees’ responses. Specific SPDs are not and should not be discussed in the SCI. However, the Council agrees that it would be useful to offer a little more detail on the production of an SPD, and their status. Amend paragraph 5.24 accordingly to read:</p>

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	<p>Figure 6 Delete “where appropriate”. Add site visits to Figure 6 to stage 1.</p> <p>Neighbourhood Plans</p> <p>Make clear that the Council’s role is essentially enabling.</p> <p>Article 4 Directions:</p> <p>Civic and amenity societies and residents’ associations could support/suggest Article 4 Directions</p>	<p><u>Supplementary Planning Documents (SPDs) build upon and provide more detailed advice or guidance on development plan policies. We have two types of SPDs: those which relate to the development of a particular site or area, and those which relate to a borough-wide issue. SPDs are not subject to an independent examination and they do not form part of the development plan. They cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making.</u></p> <p>“Where appropriate” reflects the process so no change is needed. <b>Site visits will be added to Figure 6, stage 1.</b></p> <p>Neighbourhood Plans Paragraph 5.34 is explicit that NPs are prepared by local people/businesses and not by the Council.</p> <p>Article 4 Directions The Council welcomes the involvement of our residents and other stakeholders in the identification of possible future Article 4 Directions (A4D). Local knowledge is an invaluable resource and indeed a number of our existing A4Ds have arisen from suggestions from our residents. When considering whether it is appropriate to make, and then confirm, an A4D we will consider the whether it is in the public interest, the statutory tests, the resource implications and whether such directions will render the Council open to compensation. As noted in the draft SCI the Council</p>

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	<p>Conservation Area Appraisals: Civic and Amenity Societies and residents' associations should be engaged from the start to familiarise officers with the key features of the area through walkabouts and to scrutinise the draft CAA.</p> <p>Conservation Area Management Plans: The same stakeholders should be engaged to initiate and promote the management plan. There is major opportunity here for co-design, using the experience of civic and amenity societies and residents' associations</p>	<p>will consult our stakeholders before deciding whether to confirm an A4D. The Secretary of State also needs to confirm the Direction so the bar is high for approval and a compelling case must be made in the public interest.</p> <p>CAAs Stakeholders are encouraged to be involved in CAAs, and walkabouts/preliminary surroundings have proved very helpful in this regard. Paragraph 5.58 is explicit in this regard.</p> <p>The preparation of Conservation Area Management Plans (CAMPs) will follow a similar process to the preparation of Conservation Area Appraisals but there may be more engagement meetings where considered necessary. Two new paragraphs will be added to the SCI after paragraph 5.58: <u>Most conservation areas in the borough now have character appraisals. These documents define the special interest that has led to designation, and explains the contribution made by the different features of their character and appearance, as well as identifying threats and opportunities. A Conservation Area Management Plan for each will build on and respond to the appraisal and will inform future development to ensure that it is specific to the needs of, and conserves the special qualities of the conservation area.</u></p> <p><u>Planning legislation requires that the proposals for the preservation and enhancement of a conservation area set out in a management plan are submitted for consideration to a</u></p>

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		<p><u>public meeting in the area to which they relate. Such meetings might include owners, residents' groups, amenity groups, businesses and community organisations. The Council recognises the advantages of public consultation in gaining support and momentum for the CAMPs, thereby improving their effectiveness.</u></p>
<p>b Henry Peterson St Quintin and Woodlands Neighbourhood Forum</p>	<p>In para 5.33 the draft says in relation to neighbourhood plans They have real legal force as they will contain the policies that will be read alongside those within the Council's own Local Plan and used to decide planning applications. StQW has always objected to the term 'read alongside' which featured in 2014-16 arguments with RBKC in the Jonathan Bore era. This phrase implies that case officers can choose between applying a RBKC policy or a NP policy. The NPPF position is clear (para 30) in stating Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict;</p> <p>So a preferred alternative wording would be 'used alongside those within the Council's own Local Plan and applied where relevant in deciding planning applications, taking precedence over Local Plan policies where there is any conflict'.</p> <p>Figure 7 is helpful in setting out all the various activities the Council will be willing to undertake as part of its 'duty to support'. This covers the list that Locality has defined in its 'roadmap' on neighbourhood planning.</p> <p>One further requirement (set out at NPPF paragraph 21) is that a LPA should define which of its policies are 'strategic' as opposed to 'non-strategic' so that neighbourhood forums (and examiners) can apply the 'general conformity' requirements.</p> <p>The new 2019 RBKC Local Plan at 17.1.2 explains this in the following terms 'Planning policies are set out with a summary of the relevant evidence being provided as reasoned justification for the policy that follows. The policies are set in boxes. Each of the planning policies</p>	<p>Paragraph 5.34 is explicit that NPs are prepared by local people/businesses and not by the Council.</p> <p>Noted. The Council recognises that the policies within a neighbourhood plan will "take precedence" where they are more recent than the policies within the Local Plan. The 2019 Local Plan is explicit in this regard. Amend paragraph 5.33 accordingly.</p> <p>Paragraph 5.33 They have a real legal force as they will contain the policies that will be <u>used alongside those within the Council's own Local Plan and applied where relevant in deciding planning applications. The policies within the Neighbourhood Plan will take precedence over those within Local Plan where there is any conflict'</u> <del>read alongside those within the Council's own Local Plan and used to decide planning applications.</del></p> <p>Support for Figure 7 noted</p> <p>The Council recognises its duty to define which of its policies are strategic in terms of neighbourhood Planning. However, this is not an exercise that would form part of a</p>

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	<p>starts with a strategic policy which stands in its own right. Below this are the criteria of how the policy can be complied with, but the list is not exhaustive and addressing all the criteria may not necessarily indicate that a proposal is in conformity with the strategic policy. These criteria represent the non-strategic policies. Any policies in a neighbourhood plan, where one exists, should be in 'general conformity' with the strategic element of each policy set out in the Local Plan and once made the policies in the neighbourhood plan will take precedence over the nonstrategic policies of this Local Plan (my emphasis).</p> <p>This an important statement for any future neighbourhood plans in the Borough, and should be restated or at least cross-referred to in the SCI.</p> <p>Paragraph 5.41 says The Forum must consult those living and working in the proposed area on both the validity of the forum and on the nature and the extent of the proposed area. This might be good practice but am not sure that there is any statutory basis for the 'must'? It is very hard for an emerging forum to consult those 'working' in the area. And the 'validity' of a forum is not explained. Surely the statutory requirement placed on a forum, when making a designation application, is to demonstrate a membership of 21 or more and to show that the body is 'capable' of meeting the required criteria on open membership, geographic spread of members etc. Best to stick more closely to the wording of the 2011 Act?</p> <p>37. On para 5.50 on NICIL, perhaps 'increases' rather than 'will increase'. The NCIL requirements have been in place since 2013.</p>	<p>SCI. This is a document which sets out how the Council will involve the public, albeit with some limited explanation of the planning system. As recognised by the consultee, the Local Plan itself sets out this relationship.</p> <p>The SCI directs the public to our own neighbourhood planning pages. This is where the definition of strategic and not strategic policies should be.</p> <p>Whilst the Council welcomes full engagement with those living and working within the putative neighbourhood area it does not intend to suggest that a forum "must" go beyond the requirements of the Act.</p> <p>Amend paragraph 5.41 accordingly.  <del>The Forum must consult those living and working in the proposed area on both the validity of the forum and on the nature and the extent of the proposed area".</del></p> <p><u>"The Council would encourage the Forum to consult those living and working within the proposed neighbourhood area on both, the appropriateness of the forum and the nature and the extent of the proposed area.</u></p> <p><u>Add footnote</u>  <u>Further information is available in the</u>  <u>Further information is available in the</u>  <u>Neighbourhood Planning webpages</u>  <u>of the Council's websiteof the</u>  <u>Council's website.</u></p> <p>37. Noted and agreed</p>

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	On para 5.50 on NICIL perhaps 'increases' rather than 'will increase'. The NCIL requirements have been in place since 2013.	Paragraph 5.50 This figure <del>will</del> <u>increases</u> to 25% for those areas
Claire McLean Canal & River Trust London	<p>The Trust is not currently a statutory consultee on planning policy but recognises and values the important role of planning policy in not only protecting its network of canals, rivers and docks from inappropriate development, but also in unlocking the potential of the inland waterway network for the greater benefit of an area and its communities. Our waterways can provide significant benefits in terms of wellbeing and we believe that the formation of planning policy that identifies and includes approaches for promoting access to our network is highly important for helping to realise the positive benefits of our network to local communities.</p> <p>Given the multi-functional nature and varying characteristics of the waterways there is no 'one-size fits all' planning policy and we believe there is a need to strengthen existing planning policy at all spatial levels to provide a robust policy framework that supports canals, rivers and docks as a cross-cutting policy theme. The Trust would therefore wish to be engaged with in the production of those policy documents relevant to its waterways.</p> <p>We welcome reference to the Council's Planning Policy database of stakeholders. I believe the Canal &amp; River Trust are already included in this database, but just to check, I would be grateful if the contact email could be <a href="mailto:planning@canalrivertrust.org.uk">planning@canalrivertrust.org.uk</a></p> <p>The Trust is happy to engage with communities working to produce Neighbourhood Plans likely to impact our waterways and has produced its own guide on planning for waterways in Neighbourhood Plans. This has been forwarded to town and parish Councils and is available on the Trusts website at: <a href="https://canalrivertrust.org.uk/media/original/32800-planning-for-waterways-in-neighbourhood-plans.pdf">https://canalrivertrust.org.uk/media/original/32800-planning-for-waterways-in-neighbourhood-plans.pdf</a></p> <p>As Neighbourhood Plans are generally produced by local communities it is sometimes the case that we only become aware of such documents at a very late stage in their production once submitted to and consulted on by the local planning authority which is far from ideal. It would be helpful if groups could be given contact details for all relevant consultees and interested stakeholders to assist with early engagement and consultation. The Trust would wish to be included in any such list.</p>	<p>The Council notes that the Canal &amp; River Trust (CRT) wishes to continue to be consulted in the plan making process.</p> <p>The Council notes that the CRT would find it helpful if their details are passed on to Neighbourhood Forums. Whilst this will not form part of this SCI, the Council will do so.</p>
Richard Grantley Milner Street Area Residents' Association	<p>4. We are against the idea of "snap polls" using social media, or using new digital technologies to "undertake a quick poll of important issues" (see section 5.13). We know from experience of RBK&amp;C questionnaires that it is crucial that public surveys are transparent and independently supervised before being used to justify policy making, that questions are unbiased and that all sections of the community are properly consulted. Online "snap polls" would be in danger of bypassing these safeguards, and exclude sections of the community who do not subscribe to all types of social media, giving the Council spurious grounds for decisions that it may want to make without proper consultation of all interested parties.</p> <p>7. We have recently met resistance from officers in response to a request for hard copies of planning documents, and we had to use one of our ward Councillors to obtain them. Section 5.11 states: "We will... make hard copy documents available in Council offices and libraries." This is not good enough. Given the voluminous nature of the Council's planning documents, and the superiority of their printers, the Council should be willing without question to post hard copies when requested, against payment of an appropriate fee.</p> <p>8. In sections 5.52-56 on Article 4 Directions, the Council should explain how and when it intends to respond to requests for an Article 4 Direction to be made. For example, on 14 October 2018 the Chelsea Society (with MISARA's support) wrote to request an Article 4 Direction</p>	<p>Objection to the use of snap polls is noted. The Council is of the opinion that they can be a valuable consultation tool, when part of a range of techniques.</p> <p>A statement within the SCI stating that hard copies of planning documents will be sent out may merely encourage unnecessary requests for hard copies which is not environmentally friendly. However, the Policy team has always, and will continue to, send out hard copies of planning documents when appropriate.</p> <p>Article 4 Directions</p>

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	<p>to remove permitted development rights from Conservation Areas, as has happened in Islington. Just over a year later, no reply has been received. This is both unresponsive and unprofessional.</p>	<p>The Council welcomes the involvement of our residents and other stakeholders in the identification of possible future Article 4 Directions (A4D). Local knowledge is an invaluable resource and indeed a number of our existing A4Ds have arisen from suggestions from our residents. When considering whether it is appropriate to make, and then confirm, an A4D we will consider the whether it is in the public interest, the statutory tests, the resource implications and whether such directions will render the Council open to compensation. As noted in the draft SCI the Council will consult our stakeholders before deciding whether to confirm an A4D. The Secretary of State also needs to confirm the Direction so the bar is high for approval and a compelling case must be made in the public interest.</p>
<p>Michael Stephen The Chelsea Society</p>	<p><b>THE DRAFT STATEMENT</b> This document was preceded by a 2013 document entitled "Involving People in Planning" but it is not explained in what respects the present document is different. Also, the responses to the March-April 2019 consultation have not been included. One general point about the present draft is that it is all about procedures and communications, and does not address any of the substantive issues which we and others have raised about the planning system.</p> <p>Acronyms and jargon should be removed, as they mean nothing to ordinary people. Also, in the version of the final document intended to be viewed on a computer, all references to other documents (e.g. statutes, regulations, planning guidance, and the Council's own documents such as the Code of Construction Practice and the CIL charging schedule) should be clickable links, not footnotes. The link should take the reader to the relevant part of the document, not the document as a whole (e.g. to s. 106 of the Act, and to the evidence based formula for s.106 agreements set out within the Council's own Planning Obligations SPD).</p> <p><b>ARTICLE 4 DIRECTIONS (5.52)</b></p>	<p>The Council has not highlighted the differences between the IPIP and the current SCI as it could potentially lead to confusion. The draft SCI is the document which will be taken forward to consult people on Planning matters.</p> <p>The purpose of the SCI is to consider communication and not to address the wider concerns regarding the planning system.</p> <p>The SCI has attempted to remove as much avoidable jargon as possible.</p> <p><b>The web version of the final document will include clickable links,</b> although footnotes will also be useful for those using the paper version of the document.</p> <p>Article 4 Directions</p>

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	<p>Local people need to know what Permitted Development Rights are, and that the Council can disapply those rights – especially in Conservation Areas. However, they also need to know that the Council cannot make an Article 4 direction lightly. Any direction must meet a legal test - and there are consequences if the Council gets it wrong.</p> <p>Permitted Development rights can have undesirable consequences for attractive street settings in our Conservation Areas. For example, with the exception of listed buildings, an owner can without planning permission remove an attractive (even original or historic) window facing the street and replace it with a new ugly window provided only that the new window is made of similar materials – there is no requirement for similar style or design.</p> <p>The Chelsea Society has asked RBKC to make an Article 4 Direction to remove these rights in all our Conservation Areas, making such developments subject to planning permission and enabling the Council to refuse applications which fail “to preserve or enhance the character or appearance of the Conservation Area.” After more than a year we have had no response.</p> <p>Two examples:</p> <p>1. A window in Brompton-Hans Ward. It is a standard condition of planning approvals in Conservation Areas that any replacements of sliding sash windows fronting the street should be "like for like sliding sash windows" but the owner of one house put in an ugly non-sliding sash window. One of the former Ward Councillors said "I have just been to see the window; it is clearly inappropriate and will need to be replaced ASAP" and the Enforcement Officer agreed. However, the owner successfully claimed that the new window was within Permitted Development rights and that the Council had no control over its style. The ugly window remains. It is not just style over which the Council loses control, it's also colour.</p> <p>2. Change of use. A house between two domestic residences was being used as an office. The owner made a planning application for change of use from B1 (offices) to A1 (hairdressing salon), and residents objected. However, the change of use was Permitted Development so the Council had no control.</p>	<p>The Council welcomes the involvement of our residents and other stakeholders in the identification of possible future Article 4 Directions (A4D). Local knowledge is an invaluable resource and indeed a number of our existing A4Ds have arisen from suggestions from our residents. When considering whether it is appropriate to make, and then confirm, an A4D we will consider the whether it is in the public interest, the statutory tests, the resource implications and whether such directions will render the Council open to compensation. As noted in the draft SCI the Council will consult our stakeholders before deciding whether to confirm an A4D. The Secretary of State also needs to confirm the Direction so the bar is high for approval and a compelling case must be made in the public interest.</p> <p>Noted. Permitted development rights may also apply to colour.</p> <p>We will amend the end of paragraph 5.52 and add footnote</p> <p><a href="#"><u>The General Permitted Development Order (2015) as amended, sets out the extent of permitted development rights.</u></a></p>
Councillor Hamish Adourian RBKC	5.5 Need to clarify that the Local Plan provides a set of guidelines, not hard and fast rules. Even if an application doesn't necessarily fully comply with the Local Plan, it doesn't follow that it has to be rejected. There may be other reasons that mean it can still be allowed. Need to highlight this more.	Paragraph 5.3 explains the status of the Local Plan. It is correct that a decision will be based upon the policies within the development plan and any other “material considerations”. However, the Council is reluctant to add anything to the SCI that gives the impression to potential applicants that the policies within the Local Plan do not

Name and Organisation	Response	Council's Comment
	<p>5.14 Give information on where these annual reports can be found. When are they published? Website link?</p> <p>5.26 What happened with this SPD? Is it appropriate to mention? The document talks about the regeneration of the estate... Can the Earl's Court site be mentioned, please. It also has an SPD.</p> <p>5.33 Can we clarify that Neighbourhood Plans are not about stopping development, which is what some people think it is about. They are also guidelines, as with the Local Plan.</p> <p>5.49 Is this according to legislation?</p> <p>5.50 Are these percentages set by legislation? Some clarification is needed as to what this means. Are we actually encouraging residents to try and create these new NPs? Of course we are legally obliged to support them if they do want to have them.</p> <p>5.53 Make it clear that this isn't allowed here</p>	<p>need to be complied with. This could encourage a number of inappropriate applications.</p> <p>Foot note/ web address will be added to paragraph 5.14 Paragraph 5.14 <a href="#">Add footnote AMR weblink</a></p> <p>The purpose of the SCI is not to set out a future work program, or to identify the sites which will be subject of future SPD. Paragraph 5.26 merely sets out example of SPD.</p> <p>It is not the purpose of the SCI to set out what can be within/the nature of a NP. However, it is important to recognise that the NP is not about curtailing development. The process of Neighbourhood Planning is explained on our webpages.</p> <p>The Council has a number of Article 4 Directions relating to whole areas or individual properties. It would not be appropriate to set this out within the SCI. However, a reference to the part of the Council's website which sets out our A4Ds would be useful.</p> <p>Paragraph 5.54: add footnote. <a href="#">The current Article 4 Directions can be viewed on the Council's website.</a></p> <p>Legislation sets out the nature of CIL. The 15%/25% minimum CIL allocation are set out by legislation.</p> <p>We will add a footnote at the end of paragraph 5.52 to read: <a href="#">The General Permitted Development Order (2015) as amended, sets out</a></p>

Name and Organisation	Response	Council's Comment
	5.58 Remove the reference to ward Councillors, and keep the focus on residents.	<u>the extent of permitted development rights.</u> The reference to ward Councillors in paragraph 5.58 is useful as recognises the valuable contribution that they have in shaping the CAAs.
Susanna Trostdorf Onslow Neighbourhood Association	A definition, hierarchy and road-map with timeline for the different plans (Local Plan, Neighborhood Plan, Supplementary Planning Documents etc) should be provided so that someone who is not involved understands what these are, how the flow/interlink, and when, who and where these are defined and consulted. The development plan and the conformity to this plan (i.e. London Plan and Local Plan) should be the first and foremost consideration and clearly be before "advice of planning officers".	The SCI does explain the role of the <b>Local Plans, Supplementary Planning Documents and Neighbourhood Plans</b> . However, its function is to set out how the Council will involve the public. It is not to give a commentary on the weight that officers will place upon each elements of its development plan. <b>A Glossary of terms will be added to provide further information and will include different policy documents.</b>

**Question 7 Do you have any views on the Planning Advice service as set out in Section 6**

Name and Organisation	Response	Council's comment
Michael Bach Kensington Society	PLANNING ADVICE - large projects (paras 6.1-6.12) 41. Para 6.1, final indent: "positive" is likely to be interpreted as the Council being biased towards developers. Replace by "constructive". 42. Paragraph 6.2 is disappointing: we hope the Council is looking towards an arrangement whereby the provision of advice for more important developments is made conditional on the developer bringing in local interests. 43. We assume that the proposed "residents' forums" in paragraph 6.8 are aimed at meeting the widespread demand for residents' participation in the pre-app stage. We are sorry that not more details are given. We are not sure what "at a time when potential applicants are in the earliest position to	Comments Noted. Paragraph 6.1: In order to clarify the intent, the final bullet point will be amended to read: <b>"It is good customer service to positively engage with those looking to invest in the borough as they are given more certainty around what might be acceptable. Having certainty around what is and is not likely to be acceptable is more likely to guide good growth in the borough."</b> Paragraph 6.2: it is appropriate for the SCI to clarify that current regulations do not allow the Council to compel applicants to speak to residents. We will

Name and Organisation	Response	Council's comment
	<p>consider them" actually means. But in our view it is essential that:</p> <ul style="list-style-type: none"> <li>i. the residents' forums should be convened and chaired by the Council and involve the Council, the developer and residents;</li> <li>ii. it should be a condition of the Council giving pre-app advice that the developer should participate in them or some other tripartite forum chaired by a Council planning officer;</li> <li>iii. they should meet for the first time while the developer's proposals are still at the concept stage – i.e. when "options" are still open and before detailed architectural plans have been commissioned.</li> </ul> <p>44. The SCI adopted by Bristol City Council is seen as a 'progressive' example. It includes an interesting idea as part of its 10 'groundrules' at 10a). This states:</p> <p>"For major planning applications, feedback is provided in the officer's report which recommends to the delegated officer or Development Control Committee whether planning permission should be granted. The report summarises the pre-application involvement undertaken by the applicant and how it has influenced the application. For applications below the 'major' threshold, the officer's report summarises the responses received to consultation on the planning application."</p> <p>45. Most of the SCIs submitted by developers are viewed with cynicism by the public, as reflecting little more than a paid for consultancy document which presents proposals (and public comments) in the best possible light – with no certainty that all comments and objections have been fairly represented. It might help to persuade developers to undertake pre-app consultation more thoroughly if the Bristol example was followed and there was a section in officer decision reports which commented on the quality (and the timing) of pre-app consultation – and what if any changes to a scheme had resulted from this.</p> <p>46. The Bristol 'groundrules' also include an expectation of very early engagement at the stage when 'options' for a site are still open. It is hard to think of occasions when this has ever happened in RBKC.</p> <p>47. Paragraph 6.4. We assume that you will be consulting on the new procedures, so it would be helpful to say that here.</p> <p>48. Paragraph 6.6 et seq. We have proposed time and time again that there should be a code of practice on consultation on major developments (the last version we sent you is at the end of this box). We still think that a self-contained document of this sort would be the most effective way of promoting good practice. It could easily be incorporated into the SCI or attached as an annex. But it should also be issued separately and given wide publicity.</p> <p>PLANNING ADVICE – other proposals (paras 6.13-6.15)</p> <p>49. It is not clear if any of this is compulsory. Again a freestanding code may be appropriate. In any case, for projects likely to be controversial there should be provision and encouragement for tripartite meetings between Council, developer and residents at the pre-app stage – these might possibly be a condition for Level 3 advice if it concerns a project likely to be controversial.</p> <p>50. The problem with leaving the responsibility with the developer to organise the consultation with no planning officer involvement is that, too often, the developer claims to have consulted but the neighbours say that it was non-existent or inadequate. Moreover, planning officer involvement has the advantage of alerting the planning officer to problems of which he or she may be unaware. Such tripartite meetings can be quite informal.</p> <p>51. Paragraph 6.15 covers Planning Performance Agreements, but is very brief. As became clear at</p>	<p>be designing our new pre-app service to ensure this happens on the largest developments, but ultimately, we cannot require it. Comments noted. We will amend paragraph 6.4 to read: "We will be developing a new planning advice service in early 2020 and as part of this, we will discuss options with residents and other stakeholders before preparing a new procedure note setting out the details of the new service."</p> <p>We will add to paragraph 6.6, "early" before consultation in line 1.</p> <p>Paragraph 6.8: Residents forums will be designed into the new pre-app service, which will be discussed with residents in early 2020. They will involve all stakeholders, including residents, and provide an opportunity for stakeholders to be involved in pre-application discussions. Amend paragraph to read: "We will introduce development forums as part of a new pre-application advice service (see paragraph 6.4) which will allow residents, businesses, Councillors and other stakeholders to collectively discuss proposed developments with applicants and the Council's Planning department. In order to be effective development forums will be convened at the earliest opportunity".</p> <p>The SCI sets out in detail the Principles of Engagement and Engagement techniques. Many overlap the suggested ground rules in principle and intent. The suggested ground rules are informative but the Council does not intend to add them to the SCI.</p> <p>Paragraphs 6.13 to 6.15: The Council cannot compel an applicant to engage with neighbours. Having tripartite meetings for non-major development would require significant resources and this must be balanced against any potential benefits. Most non-major applications raise only localised issues and are rarely unanticipated. Any issues that arise at the application stage are much simpler to deal with.</p> <p>Paragraph 6.15 will be amended to read: "We strongly encourage a collaborative approach to important developments using Planning Performance Agreements (PPAs). These are generally used for large scale developments but can also be used for smaller scale schemes depending on the detail of it. They encourage joint</p>

Name and Organisation	Response	Council's comment
	<p>several of the public consultation session over the past year, residents are very concerned that PPAs lead to undue influence on planning officers and over-reliance on income achieved through their use. The SCI needs to be more upfront that these agreements are charged for, and to rehearse its justification for sticking with the practice of having the same officer carry out PPA negotiations and also write the final committee report and recommendations.</p> <p>52. It would be more logical for the first part of this para to be in the large-scale development section; the smaller development section can then refer back to it.</p> <p>53. We suggest paragraphs 7.16-18 are brought into this section so that all the material on the pre-app stage is together.</p> <p><b>MAJOR PROJECTS: CONSULTATION GUIDELINES</b> [the sort of document that the Kensington Society thinks the Council should issue]</p> <p>There are strong indications that major projects will go through the planning system with greater ease if efforts are made by the developer to engage with local interest groups at the earliest possible opportunity and then throughout the planning process. Developers are not obliged to consult on their projects, and there may be some cases where, at any rate at the early stages of a project, commercial confidentiality rules it out (for instance when the developer does not yet own the land). Nevertheless, wherever possible the Council strongly recommends that consultation is undertaken at all the important stages in the development of planning applications. The following guidelines suggest how this might most effectively be done.</p> <p>1. At the concept stage</p> <p>At the early planning stage, we recommend that developers establish who the local interested parties are and invite them to an introductory meeting to explain very broadly what they have in mind. This will both help establish good relations with the locals and give the developer some idea of what the main local aspirations and concerns are likely to be. We suggest that contact to be made at this stage with:</p> <ul style="list-style-type: none"> <li>• local residents' associations, amenity and conservation societies, and, where they exist, the neighbourhood forum; [insert some information about how to find out about these]</li> <li>• local ward Councillors;</li> <li>• any significant local organisations likely to be affected by the development – e.g. hospitals or other medical or social establishments; schools or colleges; major employers; places of entertainment; religious establishments.</li> </ul> <p>2. At the pre-application advice stage</p> <p>Developers of major projects are encouraged, once they have begun to develop their proposals, to seek pre-application advice from the Council. This advice is a service by the Council to the developer and will be treated by the Council as confidential until an application is submitted (when it will form part of the background documentation). However, whilst there is no requirement to bring in third parties, the advice is more likely to be helpful if the Council planning officers as well as the developer have some idea of local aspirations and concerns and the likely local reactions to the project – as such reactions may influence any planning decision. It is therefore suggested that the developer should organise a meeting with both the planning officer and the local interest groups early in the development of the project, at which the latter can explain their aspirations and potential concerns to the planning officer and put forward any suggestions for improving the development.</p> <p>3. Before putting in a planning application</p> <p>We strongly suggest that, well before a full planning application is submitted, the developers should</p>	<p>working between the applicant and the Council and can help bring together other parties such as statutory consultees and local residents. They are also useful in setting out an efficient and transparent process for determining applications. All PPA's would include a community engagement strategy, the detail of which would be proportionate to the development to which it relates.”</p>

Name and Organisation	Response	Council's comment
	<p>organise some wider public consultation to seek views on what may be appropriate for the site*. Opposition to the project is far more likely if such consultation is left until immediately before the application is submitted, when it is also often more difficult for local input to be taken into account. Such consultation would normally involve arranging some sort of exhibition with descriptions and designs of what is proposed. The local interest groups should be invited, and leaflets should be put through the doors of neighbouring establishments and residential properties, inviting them to view the proposals and give their views. Developers should also consider setting up a dedicated website for the project.</p> <p>The developer should then take note of points made by local groups, businesses and residents, and consider how best to respond to them and whether any changes should be made to their plans.</p> <p>4. When submitting a planning application It is important that the planning application has both a written description (for instance in the Design and Access Statement) and drawings that are clear and easy for the lay person to understand. If an application is withdrawn or refused and a new one put in, it is particularly helpful to explain exactly how the new one differs from the old one. The planning application should also explain what consultation has been undertaken and give a brief note of any concerns expressed and how these have been taken into account.</p> <p>Once the planning application has gone in, it is also worth, as a matter of courtesy, writing to the local groups and households/businesses consulted to inform them, and also to offer them an opportunity to view a paper version of the plans, for instance at the office of the developer's architect. For major applications, the Council will make plans available for the public to inspect, as online copy of these application documents are not always easy to read or for a lay person to find their way around.</p> <p>5. After consent has been given After consent has been given, we recommend that the developer should keep in touch with local groups and nearby properties (even if they are outside Party Wall Act distances), letting them know when work is likely to start and how the effects of the construction process on neighbours will be minimised. Neighbours should also be informed promptly of any changes in the timing or phasing of the project. Again, this is likely to make things go much more smoothly.</p> <p>Bach: 6. PLANNING ADVICE</p> <p>6.1 This should include seeking the views of residents and promoting discussion.</p> <p>6.4 This needs expansion</p> <p>6.6 Add "early" before "consultation" in line 1.</p> <p>6.8 Agree with residents' forums, but need to be clear when this will be complete and how it will be incorporated.</p>	<p>Paragraph 6.1: In order to clarify the intent, the final bullet point will be amended to read:</p> <p><b>"It is good customer service to positively engage with those looking to invest in the borough as they are given more certainty around what might be acceptable. Having certainty around what is and is not likely to be acceptable is more likely to guide good growth in the borough."</b></p> <p>We will amend paragraph 6.4 to read: <b>"We will be developing a new planning advice service in early 2020 and as part of this, we will discuss options with residents and other stakeholders before preparing a new procedure note setting out the details of the new service."</b></p> <p>We will add to paragraph 6.6, <b>"early"</b> before consultation in line 1.</p>

Name and Organisation	Response	Council's comment
		<p>Paragraph 6.8: Residents forums will be designed into the new pre-app service, which will be discussed with residents in early 2020. They will involve all stakeholders, including residents, and provide an opportunity for stakeholders to be involved in pre-application discussions. Amend paragraph to read:</p> <p><b>“We will introduce development forums as part of a new pre-application advice service (see paragraph 6.4) which will allow residents, businesses, Councillors and other stakeholders to collectively discuss proposed developments with applicants and the Council’s Planning department. In order to be effective development forums will be convened at the earliest opportunity.”</b></p>
<p>Henry Peterson St Quintin and Woodlands Neighbourhood Forum</p>	<p>Para 6.1 on planning advice reads It is good customer service to provide positive advice and makes it more likely that some investors and businesses will want to work with us and invest in the borough and its future. Using the term ‘positive’ rather than ‘neutral and objective’ is likely to raise some eyebrows? I do not know the extent to which providing a planning advice service is a statutory duty or a discretionary activity for LPAs. Perhaps this can be explained?</p> <p>On 6.8, the Kensington Society has long argued the case for tripartite forums on major schemes, which bring together application, RBKC and residents groups. Is ‘residents forum’ the best term for these bodies (given that there are many other types of residents forum). Other LPAs call these bodies ‘development management forums’ or ‘development forums’ which might be a bit clearer for the public. Para 6.15 covers Planning Performance Agreements, but is very brief. As became clear at several of the public consultation session over the past year, residents are very concerned that PPAs lead to undue influence on planning officers and over-reliance on income achieved through their use. The SCI needs to be more upfront that these agreements are charged for, and to rehearse its justification for sticking with the practice of having the same officer carry out PPA negotiations and also write the final committee report and recommendations.</p> <p>The flow chart on handling planning applications at Figure 9 should have an addition to the text as below in bold. We are still finding instances of decision reports on applications within the StQW neighbourhood which omit any reference to the neighbourhood plan:</p> <p>Planning Officer carries out an assessment of the proposal in line with relevant development plan policies, including supplementary planning documents, national and London wide planning policies, and any adopted neighbourhood plan.</p>	<p>Paragraph 6.1: In order to clarify the intent, the final bullet point will be amended to read:</p> <p><b>“It is good customer service to positively engage with those looking to invest in the borough as they are given more certainty around what might be acceptable. Having certainty around what is and is not likely to be acceptable is more likely to guide good growth in the borough.”</b></p> <p>Paragraph 6.8 will change the words <b>“resident forum”</b> to <b>“development forum”</b></p> <p>Paragraph 6.15 will be amended to read: <b>“We strongly encourage a collaborative approach to important developments using Planning Performance Agreements (PPAs). These are generally used for large scale developments but can also be used for smaller scale schemes depending on the detail of it. They encourage joint working between the applicant and the Council and can help bring together other parties such as statutory consultees and local residents. They are also useful in setting out an efficient and transparent process for determining applications. All PPA’s would include a community engagement strategy, the detail of which would be proportionate to the development to which it relates.”</b></p> <p><b>Figure 9 will be amended to include reference to neighbourhood plans.</b></p>
<p>John Cox</p>	<p>4. Consultation on planning applications:</p> <p>The SCI should also set out clearly that -</p> <ul style="list-style-type: none"> <li>- Kensington &amp; Chelsea Council will operate an open book policy relating to any pre-application advice provided to developers, and public bodies (e.g. Network Rail and TfL) and on negotiations around viability of schemes (particularly regarding affordable housing proposals and section 106 agreements);</li> <li>- Kensington &amp; Chelsea Council will provide support and guidance to the community to assist them in responding to planning applications;</li> </ul>	<p>The Council already publishes pre-app advice and requires an open book viability assessment on relevant proposals.</p> <p>Planning Officers are expected to provide guidance and discuss proposals with the community. We will be updating our webpages to provide more information on the planning application process such as how to engage at different stages and how they can respond to a planning application. We will not be able to provide support or guidance on the content of any</p>

Name and Organisation	Response	Council's comment
	<p>- the community will be protected from poor consultation by developers particularly prior to Kensington &amp; Chelsea Council Local Plan being adopted;</p> <p>- define and review what is meant in practice by a major development. This should be sensitive not just to the size of a development but the scale of impact that developments may have on individual neighbourhoods.</p>	<p>response to a planning application because we are bound by a Code of Conduct which requires us to act impartially at all times.</p> <p>The SCI places much emphasis on early meaningful community engagement. It is important to note that the Council cannot make a potential applicant engage with the community, but it is strongly encouraged and supported.</p> <p>For the purposes of our statutory consultation requirements for planning applicants, a definition of a major development is set out in legislation however for the purposes of early engagement at pre application advice stage, we have purposefully opted for large scale or potentially controversial developments rather than placing a limit on developments of a particular size and this is to avoid the very problem identified in this response.</p>
Savills Thames Water Utilities Ltd	No	Noted.
Richard Grantley Milner Street Area Residents' Association	<p>9. A new "Planning Advice Service" will be developed in early 2020, and RBK&amp;C "will be preparing a procedure note" which will set out details of the new service (section 6.4). When will we be consulted on this?</p> <p>10. Improvements have not been made to the pre-application process as suggested by consultees; it seems all this has been "kicked into touch" awaiting the new Planning Advice Service (see above).</p> <p>11. The new Planning Advice Service should be independent of the Planning Applications process, to avoid conflicts of interest (e.g. if the planning officer considering an application is the same as the officer who has given pre-app advice).</p>	<p>9. Noted. Paragraph 6.4 will be amended to read:  <b>"We will be developing a new planning advice service in early 2020 and as part of this, we will discuss options with residents and other stakeholders before preparing a new procedure note setting out the details of the new service."</b></p> <p>10. The SCI sets out the Council's commitment to reviewing the pre-app advice service and improvements will be set out as part of the new procedure.</p> <p>11. This particular issue was discussed by the Public Realm Scrutiny Committee (as it was then) in May 2019 as part of the scrutiny of the planning advice service.</p> <p>There are a number of different officers in different roles involved in a pre-application scheme at any one time. Some of these roles, particularly senior officers are filled by one person.</p> <p>Officers do not issue their own advice; it is reviewed by others including senior management where appropriate. Having different officers involved in different elements would be a real challenge in terms of senior oversight.</p> <p>For some posts which rely on particular knowledge or specialist knowledge (or both) it will be challenging to recruit multiple officers with that capability (such as Conservation and Design, Transport and Trees).</p>

Name and Organisation	Response	Council's comment
	<p>12. The Planning Advice Service should be equally available to neighbours who might be affected by a proposed development.</p> <p>13. The diagram (Figure 8) on page 30 called "Strands of Level 4" is meaningless as it is not referred to in the text, nor is the phrase of "Strands of Level 4" explained anywhere</p>	<p>There is no evidence of conflict of interests in officers dealing with the same site at both pre-application and application stage. All officers are bound by the Council's Code of Conduct as well as the Royal Town Planning Institutes Code of Conduct if they are a member. We have not received any complaints of misconduct (perceived or otherwise).</p> <p>12. Following the scrutiny of the planning advice service, we will be trialling a 'resident advocate' service which will look to appoint a planning officer to present the views of local residents. Because there are a number of issues to be mindful of including officers' code of conduct, expectations of the service, impact on resourcing and the ability of the Council to fulfil its statutory requirements in terms of decision making, a trial will be carried out. More information on this will be provided at a resident round table session in the new year.</p> <p>Noted. Strands mean stakeholder input and the text in paragraph 6.12 and figure 8 will be amended to reflect this. "Level 4" refers to pre-application advice level but will be removed from the text.</p> <p>Figure 8 will read: <a href="#">Stakeholder involvement for large scale and complex proposals</a></p>
<p>Michael Stephen The Chelsea Society</p>	<p>PLANNING ADVICE – The Council “will champion early engagement” (6 &amp; 2.1 (4))</p> <p>The Chelsea Society made the following points at a meeting of the Council's Scrutiny Committee convened on 8th April 2019 to examine whether changes need to be made to the basis on which pre-application advice is given by Council officers to applicants for planning permission.</p> <ul style="list-style-type: none"> <li>• “Input from local people or their representatives is necessary at the pre-app stage. The reason for this is that it is difficult for the planning officer to give properly informed advice without hearing from people with detailed local knowledge. If advice is given without that input, the applicant could be misled, and incorrect advice may be difficult to correct at a later stage of the application process. This is particularly important in Chelsea, as hardly any of the planning officers, architects, or commercial developers, live there.</li> <li>• Transparency at the pre-app stage is essential, and the pre-app advice must be placed immediately on the RBKC website in an easily accessible place alongside the application documents. This should be done even if no planning application is made, because local people are entitled to know what developments are contemplated in their locality and what advice is being given by the Council in their name. Developers who have not yet bought the land may not wish the advice to be available to their competitors or the seller, but when weighing that interest against the right of local people to be properly informed, The Chelsea Society prefers transparency.</li> <li>• Developers can get pre-app advice, on a non-profit basis, from the Council's officers. By contrast, advice is not available to local Amenity Societies and Residents' Associations on how they could resist the application, unless they can afford consultants' fees, which are not offered by private consultants on a non-profit basis. This imbalance needs to be rectified either by the Council providing this advice to registered local organisations, or by funding an RBKC branch of Planning Aid for London. See <a href="http://www.planningaidforlondon.org.uk/?idno=3">http://www.planningaidforlondon.org.uk/?idno=3</a></li> </ul>	<p>We agree that input from local people at an early stage is necessary at the pre-app stage. We have committed to reviewing our pre-app service and this will include provisions for early engagement. To make this clearer the following changes are proposed to the SCI:</p> <p>Paragraph 6.4 will be amended to read:  <b>“We will be developing a new planning advice service in early 2020 and as part of this, we will discuss options with residents and other stakeholders before preparing a new procedure note setting out the details of the new service.</b></p> <p>Paragraph 6.8 will be amended to:  <b>“We will introduce development forums as part of a new pre-app service (see paragraph 6.4) which will allow residents, businesses, Councillors and other stakeholders to collectively discuss proposed developments with applicants and the Council's Planning department. In order to be effective development forums will be convened at the earliest opportunity.”</b></p> <p>The Council currently publishes pre-application advice at the time an application is made. This is the correct balance between commercial sensitivity and transparency. However, as part of the review of the pre-app service we will expect developers to agree engagement strategies and as set out above we will also be introducing more formal arrangements for including local residents. We will also be looking at ways to better engage</p>

Name and Organisation	Response	Council's comment
	<p>At 6.4 the Council says “We will be developing a new planning advice service in early 2020 and as part of this, we will be preparing a procedure note which will set out the details of the new service.” We look forward to being consulted about this.</p> <ul style="list-style-type: none"> <li>Officers who have given pre-application advice should not make subsequent or related decisions under delegated powers, nor advise the Planning Applications Committee. The reason for this is that officers giving pre-application advice, will have formed a relationship, perhaps over months or even years, with applicants and their advisers. It is better that delegated decisions are made, and advice to committee is given, by an officer who has not been so involved. This would not mean doubling the workload, but simply dividing the time spent on the application between two different officers.</li> </ul> <p>More use should be made of Design Briefs to assist applicants and local people.</p>	<p>local representatives i.e. Ward Councillors. These processes will mean greater exposure and transparency at the pre-app stage.</p> <p>We will not be providing a pre-app service to residents on how to resist proposed developments, quite apart from the fact it suggests all developments are to be resisted by default. It is the Planning Officers role to objectively assess all proposals and that includes listening to residents and advising them of the relevant considerations and helping them understand what is being proposed and what the impacts might be. However, we have committed to trialling a “resident advocate” service which will look to appoint a planning officer to present the views of local residents. Because there are a number of issues to be mindful of including officers’ code of conduct, expectations of the service, impact on resourcing and the ability of the Council to fulfil its statutory requirements in terms of decision making, a trial will be carried out. More information on this will be provided at a residents’ round table session in the new year.</p>
<p>Councillor Hamish Adourian RBKC</p>	<p>6.1 As we have seen, despite pre-app advice being given, some high profile developments have still been rejected, as there was not sufficient community or ward Councillor involvement at an early stage.</p> <p>6.10 But we cannot compel them to do it...</p> <p>6.13 Again, surely we cannot require it of them? Or can we include community consultation as a condition of giving pre-app advice?</p>	<p>We will be reviewing the pre-app service and introducing processes for early engagement with residents, Councillors and other stakeholders.</p> <p>We cannot make it a condition of giving pre application advice – we would be seen as unreasonable and at odds with what is encouraged in the NPPF and Planning Practice Guidance. It would also be damaging for our reputation and our ability to work constructively and proactively with potential applicants to secure the right developments for our borough.</p>

**Question 8 Do you have any comments on Section 7: Planning Applications? Do you think consultation as part of the Planning Application process has been explained sufficiently?**

Name and Organisation	Response	Council's comment
Michael Bach Kensington Society	<p>PLANNING APPLICATIONS (paras 7.1- 7.15)</p> <p>54. The flow chart on handling planning applications at Figure 9 should have an addition to the text as below. We are still finding instances of decision reports on applications within the StQW neighbourhood which omit any reference to the neighbourhood plan: "Planning Officer carries out an assessment of the proposal in line with relevant development plan policies, including supplementary planning documents, national and London wide planning policies, and any adopted neighbourhood plan."</p> <p>55. Please also add to the first box "and appropriate consultation with neighbours".</p> <p>55 Paragraph 7.3, replace "the development plan" by "planning policies", as it should also include the London Plan etc.</p> <p>56. Paragraph 7.10. After this para there needs to be a new paragraph explain that the Council also puts new planning applications with their associated documents on its website (is this statutory?) and go onto extol the virtues of MyRBKC – which you should be promoting as much as possible – explaining that notifications can be limited to one street or building, as well as wards, postcodes etc. "The Council also puts planning applications and all the documents associated with them on its website. Residents can sign up through My RBKC to receive email alerts of all planning applications and amendments to them either for the borough as a whole, or by ward, conservation area, street or even single building in a street {Jago says this will be possible}, so that people can keep in touch with developments of interest to them."</p> <p>57. Paragraph 7.11. The table should mention letters. Does it need to mention that a weekly list is published in the Gazette? Is this different from the weekly list sent to Councillors etc?</p> <p>58. Paragraph 7.12. This should include discharges of conditions and appeals. It should also should explain that these are also posted on the Council website and that people may make comments which will be taken into account if received before a decision is taken. We have urged the Council in the past to give a grace period of 2-3 weeks before taking a decision on such applications to allow at least a brief interval for comments. We continue to urge that this should be done, as the present situation can lead to real unfairnesses. Our proposal was rejected by the previous Director of Planning and Lead Member on what we regard as spurious grounds, but we hope it will be looked at again.</p> <p>59. Paragraph 7.13: it would be less repetitious and muddling if this table could be combined with that in para 7.11.</p> <p>60. Changes to shopping streets are of considerable interest. Although the Council has no obligation to consult where there is no need for a planning application, there would be nothing to stop them publicising things like change of use, advertisements etc.</p> <p>61. Paragraph 7.14 ought to say who the statutory consultees are.</p> <p>62. Paragraph 7.15: add at the end "although not all will wish to commit themselves to a particular view in advance of seeing a full planning application".</p> <p>63. This section should include something on how comments are put on the website (encouraging people to allow their address and /or name to be included); speaking in committee; how decisions may have conditions attached; and how they are promulgated. Also explain</p>	<p>Figure 9 will be amended to include reference to pre application consultation in first box.</p> <p>Paragraph 7.3 will be amended to read: The Council makes decisions on applications, taking into account the development plan and other relevant material considerations.</p> <p>There are two ways in which applications can be determined:</p> <ol style="list-style-type: none"> <li>1. By officers under delegated powers;</li> <li>2. By members of the planning committees</li> </ol> <p>Paragraph 7.12: table of Publication Methods for Planning Applications. Amend website and email comment to: "You can subscribe to receive email alerts about new planning applications in your area if you register for a MyRBKC account. Alerts can be set up by street, ward, postcode or conservation area."</p> <p>Noted. Paragraph 7.13 – for certain types of applications, we already do more than we are required to do.</p> <p>The statutory consultees will be added as a footnote in paragraph 7.15.</p> <p>Noted. In paragraph 7.15 we will add: "The Planning Practice Guidance provides details of this."</p>

Name and Organisation	Response	Council's comment
	<p>that subsequent applications may be submitted for the same property and how they are dealt with. Also something about NMAs etc which are notified rather than opened for comments.</p> <p>64. We have long pressed for both decisions and subsequent applications relating to a particular property (including NMAs, discharges of conditions etc.) be sent by email to all who have commented on the original application so that they are made aware of them. There seems no reason why this should not be an automated service. At present, people who are not scanning the planning website on a frequent basis often miss applications for discharges of conditions for e.g. CTMPS, which may have a real effect on their amenity. They may also miss NMAs or planning applications to amend the approved scheme – and there many developers who go in for serial tweaks to their schemes. Obviously if people are signed up to MyRBKC, they should get this information, but not everybody will be.</p> <p>65. It is also important to explain the appeal system and to have a better procedure than at present for notifying interested residents about upcoming appeals and if/how they can participate. The weekly list of applications should include appeals.</p> <p>Bach: 7. PLANNING APPLICATIONS</p> <p>Figure 9: add “pre-application consultation</p> <p>7.3 The development plan should be the first consideration, before “advice of planning officers” – conformity with the development plan (ie the London Plan and the Local Plan) should be the initial scoping.</p> <ol style="list-style-type: none"> <li>1. Should read “by officers under delegated powers”</li> <li>2. Should read: “members of the planning committees”</li> </ol> <p>7.6 There is no clear explanation of the difference between publicising and notifying. Publicising includes formal/statutory advertisements, whilst notifying includes directly informing neighbours.</p> <p>Table of notification methods</p> <p>Weekly list of applications Weekly list of applications is published in the “Gazette”. There is also a weekly list that the Council sends to Councillors and civic and amenity societies.</p> <p>7.13 There is nothing to stop the Council to choose to publicise more applications than those they are legally require to. For example, everything in the high street, such as change of use, new shopfronts, advertisements, telephone kiosks, are not publicised nor neighbours notified. As a result these get little if any scrutiny, even though they have considerable impact on the future of the high street.</p> <p>7.16 This is about the only reference to consulting local civic and amenity societies and residents’ associations. Just because there is no statutory requirement to consult is not a reason for choosing not to engage them. Merely referring them to MyRBKC is insulting. They</p>	<p>Paragraph 7.16 already recognises the importance of these groups</p> <p><b>Noted. Under paragraph 7.12: table of Publication Methods for Planning Applications will be amended to read:</b>  <b>“You can subscribe to receive email alerts about new planning applications in your area if you register for a MyRBKC account. Alerts can be set up by street, ward, postcode or conservation area.</b></p> <p>The weekly list includes the newly registered appeals and those that have been decided. We also notify residents who made representations on an application when an appeal is received.</p> <p>Noted. Please see comments above with the proposed changes.</p>

Name and Organisation	Response	Council's comment
	should be built into the Council's engagement strategy, including meeting the planners, and specifically to discuss large applications with the case officers.	
Henry Peterson St Quintin and Woodlands Neighbourhood Forum	<p>In para 7.3. will the public understand the terminology 'by delegated members at planning committees'? Why not 'by elected Councillors'? To be purist it is surely the committee, rather than its individual members, which is exercising powers delegated from the Council?</p> <p>Para 7.18 says Applicants are expected to engage with the local community as part of the pre-application process. This section needs an explanation on when applicants/developers are expected/required to submit their own SCI as part of an application. The SCI adopted by Bristol City Council is seen as a 'progressive' example. It includes an interesting idea as part of its 10 'groundrules' at 10a). This states For major planning applications, feedback is provided in the officer's report which recommends to the delegated officer or Development Control Committee whether planning permission should be granted. The report summarises the pre-application involvement undertaken by the applicant and how it has influenced the application. For applications below the 'major' threshold, the officer's report summarises the responses received to consultation on the planning application.</p> <p>Most of the SCIs submitted by developers are viewed with cynicism by the public, as reflecting little more than a paid for consultancy document which presents proposals (and public comments) in the best possible light – with no certainty that all comments and objections have been fairly represented. It might help to persuade developers to undertake pre-app consultation more thoroughly if the Bristol example was followed and there was a section in officer decision reports which commented on the quality (and the timing) of pre-app consultation – and what if any changes to a scheme had resulted from this.</p> <p>The Bristol 'groundrules' also include an expectation of very early engagement at the stage when 'options' for a site are still open. It is hard to think of occasions when this has ever happened in RBKC. It is helpful that a section on Planning Enforcement is being included in the SCI. Not all LPAs do this.</p>	<p>Paragraph 7.3 will be amended to:  <b>The Council makes decisions on applications, taking into account the advice of planning officers, the development plan and other relevant material considerations. There are two ways in which applications can be determined:</b></p> <ol style="list-style-type: none"> <li><b>1. By officers under delegated powers; or,</b></li> <li><b>2. By members of the planning committees.</b></li> </ol> <p>Regarding paragraph 7.18 – this is addressed in 7.19 where we say if consultation has taken place, applicants should prepare a report and submit with any subsequent planning application.</p> <p>Noted. The need for early engagement is recognised throughout the SCI. The SCI sets out in detail the Principles of Engagement and Engagement techniques. Many overlap the suggested ground rules in principle and intent. The suggested ground rules are informative but the Council does not intend to add them to the SCI.</p>
John Cox	<p>3. Consultation on planning policy:</p> <p>The SCI should –</p> <ul style="list-style-type: none"> <li>- set out precisely how it will involve communities in developing planning policy - particularly hard-to-reach groups or people who do not usually engage in consultations in order to conform with the National Planning Policy Framework;</li> <li>- use words such as collaboration, co-creation and pro-active involvement (again to conform with the NPPF);</li> </ul> <p>Supporting text (paragraph 7.6) of the (old) London Plan policy 7.1 Lifetime Neighbourhoods is clear that boroughs (presumably all planning authorities) should be clear about the expectations for their communities and neighbourhoods.</p>	<p>Noted. This is covered in chapter 5 of the SCI (paragraphs 5.5 to 5.7) and engagement principles (specifically principle 3).</p> <p>Chapter 5 also refers to Neighbourhood Plans in paragraphs 5.33 to 5.46.</p>

Name and Organisation	Response	Council's comment
	<p>Paragraph 7.6 makes it clear that authorities should work not just with neighbouring authorities, relevant infrastructure service providers, but also with local communities to prepare and communicate strategies for meeting those expectations, ensuring that all sections of the community, including local businesses, are engaged in shaping and delivering their local strategies and therefore encouraging a sense of belonging to their neighbourhood.</p> <p>While, as paragraph 7.6 suggests, Neighbourhood Plans are one mechanism for both boroughs and community-led groups to agree on local priorities, resident and community groups might also be involved in co-production or co-creation of the authority's planning policy.</p>	
Savills Thames Water Utilities Ltd	<p>New developments have the potential to increase the requirements for water and wastewater infrastructure. Thames Water will deliver any necessary network reinforcement works required to support new development which will be funded by the Infrastructure Charge. However, the timescales for delivery of new infrastructure can be significant. In order to ensure that development is aligned with any necessary wastewater infrastructure upgrades necessary to support the development and minimise the need for phasing conditions to be sought on planning approvals to prevent the occupation of development ahead of the delivery of any necessary network reinforcement works developers are encouraged to discuss their proposals and infrastructure requirements at an early stage.</p> <p>As such we would welcome inclusion of text in section 7 encouraging applicants to seek pre-application advice from Thames Water to discuss water and wastewater infrastructure requirements ahead of the submission of any application. Further information for developers and land promoters on pre-planning enquiries can be found at: <a href="https://www.thameswater.co.uk/preplanning">https://www.thameswater.co.uk/preplanning</a> a copy of this link could be included in the SCI or on the local authorities website on the pre-application page to encourage developers to utilise Thames Waters pre-application service.</p> <p>Encouraging developers to engage with Thames Water would accord with Paragraph 40 of the NPPF which states that local authorities should, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.</p>	We agree that applicants should engage with Thames Water at the earliest possible stage. However, it is not necessary to set out this level of detail regarding individual consultees in the SCI.
Richard Grantley Milner Street Area Residents' Association	<p>14. The section on Planning Applications is particularly thin, and has left out most of the detail in the previous IPIP. Excluding diagrams and tables it only runs to 2-3 pages (vs. about 12 in the previous document). Why has all this been left out? We had hoped to see the planning process refined and improved, not degraded (or details omitted).</p> <p>15. Why have the responses to the March-April 2019 consultation not been included?</p> <p>16. The document says that, when the Council receives a valid planning application, it will "notify all the neighbouring properties that adjoin the site". This is not enough: what about other properties that might be affected, e.g. those across the road, or overlooking the proposed development, or (in the case of a draft Construction Traffic Management Plan) all those in the street? The list of recipients needs to be widened.</p>	<p>14. The intention is to set out as succinctly as possible the relevant information. It is not felt that anything is left out.</p> <p>15. The responses to the March-April 2019 consultation are available on the <a href="#">SCI webpage</a>.</p> <p>16. The starting point set out in legislation is that all adjoining owners and occupiers need to be notified. Whilst this could be widened if considered appropriate, we need to be consistent and proportionate. For larger developments we already consult beyond the statutory requirements however, it is entirely dependent on the circumstances of the case. Also, we already consult beyond our statutory requirements by erecting a site notice AND sending letters to adjoining properties. We</p>



**Question 9 Do you have any comments on the subsections detailed in Section 8: Implementation (A. Planning Enforcement, B. Mitigating Construction Impacts and C. Planning Contributions (S106))**

Name and Organisation	Response	Council's Comment
Michael Bach Kensington Society	<p>IMPLEMENTATION (paras 8.1-8.15)</p> <p>66. At para 8.2, a brief explanation of what constitutes 'unauthorised development' would be useful, i.e. that this may be elements of a refurbishment of an existing house which vary from approved drawings, such as size of rear dormers, unpermitted rooflights, installing impermeable surfaces in front gardens, removal of parts of Listed buildings.</p> <p>67. Paragraph 8.10: give some examples to make this clearer to the lay person and explain that S106 agreements must be proportionate and directly related to the development to mitigate any harms.</p> <p>68. Paragraph 8.11: Explain the difference and relationship between the two.</p> <p>Bach: 8. IMPLEMENTATION</p> <p>8.10 S106 agreements must be proportionate and directly related to the development to mitigate any harms.</p> <p>8.13 unfinished?</p>	<p>Paragraph 8.2. Unauthorised development is broad and refers to any breach of planning regulations. The SCI is not the correct document for setting this out and guidance is provided on the website and in the Local Enforcement Plan.</p> <p>Paragraph 8.10. The paragraph is clear enough and strikes a balance between being succinct and providing detail.</p> <p>Paragraph 8.11. This is explained in other documents and it would be inappropriate to repeat and pad out this document which focuses on how we engage stakeholders.</p> <p>Paragraph 8.13 refers to section 5 of the SPD. The sentence is complete.</p>
Henry Peterson St Quintin and Woodlands Neighbourhood Forum	At 8.2. a brief explanation of what constitutes 'unauthorised development' would be useful, i.e. that this may be elements of a refurbishment of an existing house which vary from approved drawings, such as size of rear dormers, unpermitted rooflights, installing impermeable surfaces in front gardens, removal of parts of Listed buildings.	This is set out in the Local Enforcement Plan and it is important to avoid repetition.
Claire McLean Canal & River Trust London	Community Infrastructure Levy The use of Built-id for NCIL projects sounds positive. It would be helpful if the SCI also included details of how stakeholders will be able to engage with the identification of all projects eligible for CIL funding going forward.	The process of CIL is set out in the Council's website
Savills Thames Water Utilities Ltd	No	Noted
Martyn Baker Lots Village, Chelsea Association of Residents and Businesses	<p>1. THE EFFECTIVENESS OR OTHERWISE OF THE EXISTING CTMP/SCMP REGIME i.e what needs putting right in the interests of local communities?</p> <p>The Council's refusal during 2018 and 2019 to provide dedicated wardens to enforce CTMP obligations for the major strategic site of Lots Road Power Station or to install CCTV Cameras is deeply frustrating when there is so much Section 106 funding (upwards of £8 million) due once half the properties are occupied. The contractors have been laughing in the face of the Council by repeatedly flouting their CTMP obligations. Their lack of management discipline in controlling the flow of HGVs into and out of the site has been cavalier in the extreme leading to repeated incidents of congestion and backing up of construction vehicles in Lots Road, as well as great pollution/filth.</p>	1. This document sets out how we will engage our communities. The comment is very specific relating to management of construction on a particular street. The Council has a specific construction management team set up to deal with regulation of construction sites with a multi

Name and Organisation	Response	Council's Comment
	<p>2. THE UPGRADING OF THE CODE OF CONSTRUCTION PRACTICE (through a consultation ending in January 2019) i.e but what has the effect been so far?</p> <p>Our experience to date is that the Construction Management Team (CMT) still lacks sufficient manpower to draw the threads together and so act with sufficient firepower when called for. As I wrote in response to the Consultation on 23rd January 2019 : "While we of course welcome the belated creation of the CMT, its effectiveness will depend on the Council's readiness to apply suitable resources to enforce rigorously the terms of both CTMPs and Site Construction Management Plans". While we accept the new Code cannot be applied retrospectively to the Power Station site or to the adjacent Tideway site at Cremorne Wharf (in terms of paying for the cost of monitoring compliance) we do not consider the Council is acting in a responsible way in looking to the local community to try and police repeated infringements by requiring it to provide details of HGVs' number plates when the sites themselves have CCTV Cameras! The launch of CREST 2 on 10th September to create a new Enforcement Service was also very disappointing because Council officers said there could be no additional funding made available for an exercise seemingly designed to rebrand and reorganize resources without recognizing that such a rearrangement could not be expected of itself to resolve previous weaknesses. It must be very disillusioning for well-meaning staff to be told there is no commitment to provide the greater resources needed when RBK is one of the wealthiest and most densely populated boroughs in the UK and is suffering from overdevelopment putting great strain on its physical and social infrastructure.</p>	<p>disciplinary approach. We also have a Code of Construction Practice which developers are expected to comply with and this is referenced in paragraphs 8.6 to 8.8.</p> <p>2. As above, this is a very specific comment about the code of construction practice and the construction management team. No changes are proposed to the SCI as they do not relate directly to its content.</p>
<p>Michael Stephen The Chelsea Society</p>	<p>MITIGATING CONSTRUCTION (8.6)</p> <p>Our members often tell us that living in Chelsea is like living on a building site. Building work is noisy. The noise is often very loud and can go on for months and even years, during which time it is almost impossible for local people to use their homes. It also creates dust which invades neighbouring homes, and it causes obstruction of the carriageways and footways, sometimes for long periods. We explain to members that the Council has only limited powers to refuse planning applications, but it does have power to mitigate the effect of building work. It is very important that the Council uses these powers promptly and effectively, and we are glad that the Council is making serious efforts to make enforcement more effective. The Society was pleased to participate in the Chelsea pilot scheme.</p> <p>Often the worst offenders are small builders, whose workers may never have heard of the Council's codes of practice, and whose drivers have never heard of the Construction Traffic Management Plan.</p> <p>There can also be a problem with some of the larger sites, and we have recently received the following comment from one of our members: "the protracted process of getting reasoned responses from the Council is getting worse not better (despite CREST) even when dealing with major strategic sites like Lots Road Power Station. For each major site there really should be a single dedicated Council officer charged with close ongoing scrutiny and able to pull together all the relevant planning conditions, construction traffic obligations and environmental monitoring requirements into a coherent system of effective control. We should continue to draw attention to blatant failings to abide by CTMP obligations caused by trucks serving the Power Station and Tideway sites."</p>	<p>Noted.</p> <p>The construction management team continue to liaise with residents in the Lots Road area to control the construction sites.</p>
<p>Councillor Hamish Adourian RBKC</p>	<p>8.3 What about more proactive enforcement by the Council, especially on major sites? Monitoring?</p>	<p>Proactively monitoring development in a borough that receives over 5,000 applications a year would be incredibly resource intense. However, it is recognised that some proactive monitoring of sites can be effective in creating an environment of compliance. Both the Planning Enforcement team and the Construction Management Team are</p>

Name and Organisation	Response	Council's Comment
	8.12 What evidence? How are these formulas determined? In principle, could we change the method by which we set the contribution levels, or is it laid out by legislation?	involved in proactive monitoring of sites. The Local Enforcement Plan discussed proactive enforcement.  Comments on paragraph 8.12 are noted, however, setting this out in the SCI is inappropriate. The Planning Obligations SPD and the evidential background are available on the website.

**Question 10 Do you have any comments on how we will Monitor and Evaluate as set out in Section 9?**

Name and Organisation	Response	Council's Comment
Michael Bach Kensington Society	MONITORING, EVALUATION AND REVIEW 69. We suggest that Sections 9 and 10 be run together, as they are dealing essentially with the same topic.  Bach: 9. MONITORING AND EVALUATION  9.3 AMR should be consulted on with Civic and amenity societies and formally scrutinised by the Environment Select Committee.	The Council recognises the links between monitoring and review, but that there are separate elements.  The AMR is not document which would be consulted upon. It sets out, for example, the progress being made on the meeting of the Council's Objectively Assessed Need for businesses. It is published and the Council would welcome comments – but comments will relate to the future direction (as informed by the AMR) rather than the AMR itself.  It is for the Environment Select Committee to decide what it wishes to consider, as and when appropriate. It is not for the SCI to consider this.
Henry Peterson St Quintin and Woodlands Neighbourhood Forum	At 9.1. the wording should be 'views of our residents are' rather than 'is'.	Noted. Amend paragraph 9.1. <b>The views of our residents is <u>are</u> central to the plan-making process,</b>
John Cox	5. Assessments and monitoring:  It is essential that the SCI set outs how it will measure and monitor the effectiveness of its strategies around community involvement, including monitoring of level involvement in - - co-production of planning policy; - levels of submissions to consultations; - what changes have been made as a result of community involvement.  Kensington & Chelsea Council should carry out annual tracking of the views and experiences of a	The purpose of the SCI is to set out how we consult/ involve our stakeholders on our documents.  The levels and the of community involvement are set out in detail within the respective reports. This includes summaries of responses.

Name and organisation	Response	Council's Comment
	representative survey group of resident and community organisations and small businesses from within and surrounding Kensington & Chelsea Council area over the life of the Local Plan.	We are happy to receive feedback on the views and experiences of our services and indeed this is received on a regular basis. To formalise this further at this stage would be resource intensive but we will continue to monitor this.
Claire McLean Canal & River Trust London	Community Infrastructure Levy The use of Built-id for NCIL projects sounds positive. It would be helpful if the SCI also included details of how stakeholders will be able to engage with the identification of all projects eligible for CIL funding going forward.	The Council has yet to have decided how to consult stakeholders to help determine the spend of NCIL. This will be subject of its own consultation in 2020.
Michael Stephen The Chelsea Society	COMMUNITY INFRASTRUCTURE LEVY and s.106 AGREEMENTS The Amenity Societies and Residents Associations should be consulted in relation to each major development, on the purposes for which money is raised, and how it will be spent. The Council must allocate at least 15% of all levy receipts to priorities that are agreed with the local community, but how is the local community defined for this purpose, and who is consulted?	S106 contributions are negotiated as part of the determining of a planning application. There is no legal requirement to involve the public in this element. They are not arbitrary and must meet a number of closely defined tests. These are set out in detail in the recently adopted Planning Contributions SPD. This includes a number of formulae for determining the level of contribution necessary. It is important that the public are involved in deciding how NCIL is spent. This will be the subject of a further consultation in 2020.
Councillor Hamish Adourian RBKC	9.2 Where can this be found? Link?	The draft document included a link to the AMR. <b>The published document will have a live link to the AMR web pages in paragraph 9.2.</b>

**Question 11 Do you have any comments on how we will Review and Feedback as set out in Section 10?**

Name and Organisation	Response	Council's Comment
Michael Bach Kensington Society	70. Paragraph 10.6: the meetings organised by the Kensington Society on specific planning issues have been extremely popular with a far larger attendance than the Listening Forums. We urge that the Council organise Listening Forums devoted to individual planning issues. We find that the classroom format is better than tables so that everyone can hear everything and people feel less nannied.  Bach: 10. REVIEW AND SCOPING 10.2 Appeals: this is a missing element – residents should be alerted by the Council including the upcoming appeal and their timetable, the case officer. This could be on the website – a table of forthcoming appeals as well as the current letter sent to objectors.	We will refer to development forums as part of a new pre-application advice service in paragraph 6.8.  The weekly list includes the newly registered appeals and those that have been decided. We also notify residents who made representations on an application when an appeal is received. Also, we will engage with the Council's Media and Communications team to reintroduce the Planning Bulletin on a monthly basis. We will monitor the effectiveness of communicating through the Planning Bulletin and keep this under review as technologies change.

	10.3 Civic and amenity societies and residents' associations should be encouraged to respond to Mayoral and Government consultations that affect the borough.	Noted. We will add the following sentence at the end of paragraph 10.3. <u>"We encourage our residents to respond to those consultations when appropriate."</u>
Savills Thames Water Utilities Ltd	No	

**Question 12 Do you have any other comments or further feedback on the Draft SCI?**

Name and Organisation	Response	Council's Comment
Michael Bach Kensington Society	Comments submitted via Sophia Lambert and another, separate entry by Michael Bach- both stipulating representation of Kensington Society	Noted.
John Cox	<p><b>DELIVERING EFFECTIVE INVOLVEMENT AND USE OF GROUND RULES</b></p> <p>The 'ground rules' set out below are intended to ensure consistent and minimum standards in community involvement.</p> <p>Organisers of and participants in community involvement are expected to adopt and make reasonable endeavours to implement the ground rules. Failure to do so is likely to limit the validity and credibility of the involvement undertaken.</p> <p>The ground rules apply to:</p> <ul style="list-style-type: none"> <li>- prospective planning applicants carrying out pre-application community involvement on development proposals considered and decided by Kensington &amp; Chelsea Council;</li> <li>- individual(s), community group(s), and / or organisation(s) having an interest in the planning application or planning policy document;</li> <li>- Kensington &amp; Chelsea Council, in preparing planning policy documents.</li> </ul> <p>The Ground Rules:</p> <p>1. Inclusive invitation</p> <p>a) Reasonable attempts should be made by prospective planning applicants and/or Kensington &amp; Chelsea Council to ensure that a representative cross-section of the community is invited to the same community involvement event(s) to ensure that all participants are aware of each other's views. That is better than a community having to respond as isolated individuals to display board information at a longer event, although that can happen as well.</p> <p>b) Invitations should go to every household in and around the relevant area, as well as to community groups (e.g. local residents associations, neighbourhood planning forums and amenity societies) where they exist or are formed as a result of a proposal.</p> <p>c) Information provided by Kensington &amp; Chelsea Council and planning applicants will highlight the importance of community members and groups being involved in the development of planning policy and determining planning applications. Community participation in the planning process should be recognised as a central way of promoting vibrant democratic governance that encourages active citizenship.</p> <p>d) It may be necessary to hold additional events for those groups not traditionally involved in the planning process. This will include young and older people, people with disabilities or who have learning difficulties or black and minority ethnic communities.</p>	Noted. The SCI sets out in detail the Principles of Engagement and Engagement techniques. Many overlap the suggested ground rules in principle and intent. The suggested ground rules are informative but the Council does not intend to add them to the SCI.

Name and Organisation	Response	Council's Comment
	<p>e) Kensington &amp; Chelsea Council will seek out active involvement of the community within and surrounding Kensington &amp; Chelsea. Gaps in involvement, particularly of those who would not usually engage in planning policy will be identified and attempts will be made to address the gaps.</p> <p>f) Events should be held in accessible locations. Absence of accessible meeting spaces at the neighbourhood level will be identified and new provision will be made.</p> <p>g) All participants in the involvement process should be asked to provide their contact details to ensure they receive feedback on the results of involvement.</p> <p>h) Kensington &amp; Chelsea Council will make the best use of existing ways of talking to the community such as established local forums;</p> <p>i) Kensington &amp; Chelsea Council will promote understanding of the planning process through schools and colleges;</p> <p>j) Regular provision of information and feedback from open engagement events will be made available in accessible formats for all sections of the community by Kensington &amp; Chelsea Council and planning applicants;</p> <p>k) All consultation documents should be available free of cost to the public;</p> <p>l) Kensington &amp; Chelsea Council will avoid holding consultations during public or popular holiday time periods.</p> <p>2. Authorisation</p> <p>a) Those representing community groups, the prospective planning applicant and Kensington &amp; Chelsea Council at community involvement events should be able to show that they are authorised to speak for their individual organisations or networks of organisations that they may be involved with.</p> <p>b) The scale and remit of those organisations should also be made clear.</p> <p>3. Continuity, collaboration and co-production</p> <p>a) Involvement should be a continuous two-way process for all interested parties, with the timetable for the period of preparing the plan or making the planning application made clear.</p> <p>b) Where involvement is intended to include a series of meetings or events then, as far as possible, the same individuals that represent the community, the prospective planning applicant and Kensington &amp; Chelsea Council should be invited, to ensure some continuity. Minutes of meeting should be made available to ensure that there is no re-run of meetings when new groups and individuals engage.</p> <p>c) Kensington &amp; Chelsea Council will seek to work collaboratively with community groups and engage them in co-production of planning policy.</p> <p>4. Independent advice</p> <p>a) Where technical or professional advisers or private consultants are employed as independent facilitators to manage involvement processes, they should have a client duty of care to all parties equally and should be instructed to follow these ground rules, irrespective of the party employing them. Where facilitators or advisers are not independent, this should be declared.</p> <p>5. Early Involvement</p> <p>a) Arrangements should be made for the community involvement process to begin at the 'formative stages' of plan-making and for all parties to meet at the early 'ideas' stage of the plan or development proposal process. This is before specific proposals are made, when significant options and alternatives are still open and can be identified and while there is still the potential to make a difference to the final options selected.</p> <p>b) Kensington &amp; Chelsea Council will seek to facilitate communities' desires to be proactive.</p> <p>6. Presenting options</p> <p>a) The aim should be to set out options or choices that are possible in the way that specific development is carried out, including those suggested by the community and that reflect the community's needs, ambitions and experience.</p>	

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	<p>b) For development proposals, purely oral or written presentations should be avoided so that, wherever possible, options are also presented visually. This should include the use of accurate three-dimensional models. Written materials may need to be translated into other languages.</p> <p>c) Options presented in flyers and or newsheets and which are widely distributed will present options in an accessible format.</p> <p>d) Kensington &amp; Chelsea Council should encourage the development of community-based options.</p> <p>7. Choosing between options</p> <p>a) The planning criteria for choosing between options should be made clear and transparent.</p> <p>b) Kensington &amp; Chelsea Council will explain why any alternatives may have been rejected.</p> <p>c) It is expected that developers will provide a range of options for community consultations and reasons for rejecting any that are favoured by the community. These should not include leading questions.</p> <p>d) Kensington &amp; Chelsea Council and developers will provide some open questions which invite comment – for example around potential heights of buildings.</p> <p>8. Consensus</p> <p>a) Best endeavours should be made to reach consensus, making it clear and specific how far the involvement has resulted in agreement to adopt or to alter proposals. Where agreement has not been possible, the reasons and the scale of disagreement should be made clear and specific.</p> <p>b) Kensington &amp; Chelsea Council will also set out how it will conclude that a consensus has been reached.</p> <p>9. Transparency and confidentiality</p> <p>a) For major planning applications, a Community Involvement Statement is required to be submitted by the planning applicant to Kensington &amp; Chelsea Council as a supporting document to their planning application. The statement will summarise</p> <ul style="list-style-type: none"> <li>- the community involvement undertaken</li> <li>- the key issues raised by the community</li> <li>- how the proposal has been revised to take account of the issues raised and, where the proposal has not been revised, the reasons why not.</li> </ul> <p>b) For Local Plan documents, a consultation statement will be made available alongside the Local Plan published for representations. This will set out</p> <ul style="list-style-type: none"> <li>- who was consulted when preparing the Local Plan</li> <li>- a summary of the key issues raised by those persons</li> <li>- how those issues have been addressed in the Local Plan</li> <li>- full submissions will also be available via Kensington &amp; Chelsea Council's web site.</li> </ul> <p>c) For Supplementary Planning Documents, a consultation statement will be published alongside the draft document. This will set out:</p> <ul style="list-style-type: none"> <li>- who was consulted when preparing the draft document</li> <li>- a summary of the key issues raised by those persons; and</li> <li>- how those issues have been addressed in the draft document.</li> </ul> <p>d) Participants may provide a written statement of omissions and corrections which will be reported and considered by Kensington &amp; Chelsea Council along with the Community Involvement Statement and/or consultation statement. The availability of information submitted as a part of the planning process is important to ensure public participation in the planning process, confidence in the planning system, and the accountability of those undertaking the assessments. Kensington &amp; Chelsea Council considers that information submitted as a part of, and in support of a viability assessment should be treated transparently and be available for wider scrutiny. In submitting information, applicants do so in the knowledge that this may be made publicly available alongside other application documents. If an</p>	

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	<p>applicant considers that disclosure of an element of a viability assessment would cause harm to both their commercial interests and the public interest, and should be kept confidential, they should provide a full justification for this. Kensington &amp; Chelsea Council will consider this having regard to the 'adverse effect' test and overriding 'public interest' test in the EIR, decisions of the ICO and the First Tier Tribunal, and the specific circumstances.</p> <p>e) Kensington &amp; Chelsea Council will</p> <ul style="list-style-type: none"> <li>- provide advice and guidance to community members on how to effectively object to planning applications;</li> <li>- provide guidance for developers on involving the community around individual developments;</li> <li>- ensure that information on all section 106 agreements is easily accessible to the community via its web site and</li> <li>- encourage community involvement in determining the content of individual section 106 agreements.</li> </ul> <p>f) Kensington &amp; Chelsea Council will define what it means by a major planning application. The definition will be sensitive not just to the size of a development, but also to the impact it may have on any specific community.</p> <p>10 Feedback on the outcome of community involvement</p> <p>a) For major planning applications, feedback is provided in the officer's report which recommends to the delegated officer or the Planning Committee whether planning permission should be granted. The report summarises the pre-application involvement undertaken by the applicant and how it has influenced the application. For applications below the 'major' threshold, the officer's report summarises the responses received to consultation on the planning application.</p> <p>b) For Local Plan documents, feedback is provided in the consultation statement referred to under 9b. For Supplementary Planning Documents this will be the consultation statement referred to under 9c.</p> <p>c) Kensington &amp; Chelsea Council should set out how it has conscientiously taken into account any representations, and why it is disregarding comments made in any representations from the community and any proposed alternatives.</p> <p>11 Responsibility</p> <p>a) The particular remit and responsibilities of Kensington &amp; Chelsea Council in terms of planning policy and determining planning applications, and for involving the community in both, will be clearly expressed in explanatory documentation that is accessible to all community members.</p> <p>b) Kensington &amp; Chelsea Council will avoid confusion around its responsibilities for different types of planning applications in order to avoid community members having less than a reasonable period to respond to consultations. This will be set out clearly on Kensington &amp; Chelsea Council's web site.</p> <p>12 Measuring, monitoring and evaluating the effectiveness of community involvement</p> <p>a) The effectiveness of community involvement will be measured, monitored regularly and evaluated. This will include</p> <ul style="list-style-type: none"> <li>- community involvement in co-producing planning policy</li> <li>- levels of consultation submissions</li> <li>- changes that have been made as a result of community involvement</li> <li>- annual tracking of the views of and experiences of a representative survey group of resident and community organisations and small businesses within the boundaries of Kensington &amp; Chelsea Council area over the period of the Local Plan.</li> </ul>	
<p>Claire McLean Canal &amp; River Trust London</p>	<p>The Trust is generally supportive of the Council's production of this SCI which provides clarity on how consultees and stakeholders will be involved in the preparation and review of planning policy documents and consideration of planning applications. As only about 4% of the land adjacent to our waterways is actually owned by the Trust our waterways are highly vulnerable to the impact of development by others. The ability to influence such developments through the planning and design process is therefore of utmost importance to us.</p>	<p>Support for the production of the SCI engagement noted.</p>

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Savills Thames Water Utilities Ltd	No	
Richard Grantley Milner Street Area Residents' Association	5. Where a consultation is likely to be controversial or divisive, it is important that consultation materials (including questionnaires) are drafted in an impartial manner to obtain an objective assessment of opinion, not biased or designed so as to enable the Council to justify a decision it would like to make. In these circumstances, we recommend either (i) that the consultation be conducted by an independent organisation, or (ii) that the draft consultation materials be released for comment before adoption.	Suggestion noted. The SCI sets out the principles of engagement and the consultation techniques we use for Planning matters.
Michael Stephen The Chelsea Society	<p><b>MAKING DECISIONS</b></p> <p>The Planning Applications Committee must listen to the advice of the planning officers before they make their decision, but when officers write reports for the Committee and speak in Committee, they also make a recommendation as to what decision the Committee should make. Councillors are often reluctant to act against that recommendation, and if they do, it can be used against them on appeal. This needs to change so that officers do not make recommendations, but simply sum up the facts and arguments on both sides.</p> <p>The fact that an application has been referred to Committee does not imply that the officers are for or against it. It will be automatically referred if there more than three objections or if a Councillor has requested that it be referred.</p> <p>It should be explained in what circumstances local people are allowed to address the Committee and how and when they should apply to do this. Time allocated for verbal comment by objectors is understandably controlled, however the procedure that permits the applicant to make closing remarks after discussion can be abused. Where an applicant seeks to introduce new material in favour of his application it is vital that officers make clear that this should not be considered by the Committee unless the objectors are given the opportunity to respond.</p> <p>Further, when post-consent adjustments to a scheme are requested in the case of a disputed consent, such adjustments should be referred back to objectors for consultation and not simply be consented by officers under delegated powers.</p> <p>We are concerned that objections from The Chelsea Society are being put on the Council's website with the name of the objector removed. This is the policy for individuals, not for Amenity Societies.</p>	<p>Planning officers are employed by the Council to provide professional advice. It is well established nationally and industry wide practice for professional officers to make a recommendation to the planning committee based on their professional, objective evaluation of all the material considerations. The role of officers and Councillors is clearly set out in both the Council constitution and the code of conduct.</p> <p>The Planning Pre-application Advice service has been discussed at two Public Realm Scrutiny Committee in <a href="#">May</a> and <a href="#">June</a> 2019.</p> <p>The comments about committee procedures and redaction under privacy laws are noted, however, these are established separately to the SCI.</p>
Victoria Kirkham Natural England	<p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: <a href="https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals">https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals</a>.</p>	Support for early engagement noted.
Michael Atkins Port of London Authority	I have now had the opportunity to review the draft SCI and can confirm that the PLA has no comments to make	Noted.
Kayley Smith Highways England	Having examined the document, Highways England does not offer any comments on the consultation at this time.	Noted.
Richard Carr TfL Planning, Transport for London	Thank you for consulting Transport for London (TfL) on the draft SCI. For clarity and to ensure conformity with other SCIs, it would be useful to provide a list of statutory consultees (including TfL) for planning policy documents and planning applications. The list could be included as an appendix to the main document.	Noted. Thank you for the information on different TfL email addresses for spatial planning, operational infrastructure and property which we will add to our consultee database.

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	<p>Consultation on all planning policies and planning applications that could affect TfL's operational interests or implementation of transport policies in the London Plan (including applications that may have an impact on the Transport for London Road Network (TLRN)) should be sent in the first instance to the TfL Spatial Planning address <a href="mailto:SpatialPlanning@tfl.gov.uk">SpatialPlanning@tfl.gov.uk</a>.</p> <p>Any proposals that impact directly on London Underground or Overground operational infrastructure should be sent to the Infrastructure Protection address <a href="mailto:SMBLocationEnquiries@tfl.gov.uk">SMBLocationEnquiries@tfl.gov.uk</a></p> <p>Colleagues in TfL Commercial Development should be consulted separately regarding any planning policies or applications where TfL's landholdings or development interests may be affected <a href="mailto:PropertyConsultation@tfl.gov.uk">PropertyConsultation@tfl.gov.uk</a></p>	
Customer Centre Environment Agency	I have passed your enquiry to our Sustainable Places team for the relevant area and they will be in touch with you shortly. Should you wish to contact the Sustainable Places team directly, please use the contact details below. Please quote your Enquiry Reference 191002/AC19 in any correspondence with us regarding this matter.	Noted.
Nicholas Gould Pelham Residents Association	<p>The Pelham Residents Association consists of the 51 houses in Pelham Place and Pelham Crescent. This response to the draft Statement of Community Involvement is submitted on behalf of all the residents in those 51 houses.</p> <p>The members of the Pelham Residents Association strongly oppose the proposal to collect the views of residents, and even to conduct snap polls, by means of social media. Social media is unreliable and open to abuse and is generally uncheckable.</p> <p>As to other aspects of the draft Statement, the members of the Pelham Residents Association have seen and considered the response submitted to you by the Milner Street Area Residents Association by email on 18 October 2019, and agree with the views set out there and adopt them</p>	Opposition to the use of social media is noted. However, use of social media has been misunderstood. We are not conducting any polls through social media but using the power of social media to publicise consultations. The Council will use its own tailored digital platform to conduct any surveys or polls. This will supplement not replace traditional means of consultation.