

Response Form

Partial Review of the Core Strategy for the Royal Borough of Kensington and Chelsea with a focus on North Kensington

Development Plan Document policies

All representations **must** express a view regarding the soundness or legal compliance of a planning policy. If the representation does not comment on soundness or legal compliance, or deal with how a policy can be altered to make it sound the representation will **not** be valid.

Name: Sue Whittle

Company/Organisation: Private residents

Representing: Mr and Mrs Whittle

Please complete the form and email it or send it to:

The Executive Director of Planning and Borough Development
f.a.o The Policy Team
The Royal Borough of Kensington and Chelsea
The Town Hall,
Hornton Street,
London W8 7NX

Email address: planningpolicy@rbkc.gov.uk

Publication Stage Representation Form

To be “**sound**” the contents of a local plan should be POSITIVELY PREPARED, JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.

“**Positively prepared**” means that the planning policy needs to:

- be prepared based on a strategy which seeks to objectively assess development and infrastructure requirements, including those of neighbouring authorities where it is reasonable to do so.
- It must also be consistent with achieving sustainable development.

“**Justified**” means that the planning policy must be:

- founded on a proportional evidence base
- the most appropriate strategy has been selected when considered against the reasonable alternatives.

“**Effective**” means that the planning policy must be:

- deliverable over its period
- based on effective joint working on cross – boundary strategic priorities.

“**Consistent with National Policy**” means that the planning policy should enable the delivery of sustainable development in accordance with the guidance contained within the National Planning Policy Framework (NPPF).

It must also be **legally compliant** which means that the planning policies have been prepared in accordance with legal and procedural requirements.

State planning policy or paragraph number to which you are referring

CL7a, CL7b

Yes

No

Do you consider the planning policy to be sound?

Please tick box as appropriate

If you have selected YES and you wish to support the soundness of the planning policy, please give your reasons below. Please be as precise as possible. Please make it clear which paragraph number or Policy box number you are commenting on.

please attach additional pages as required

If you have selected NO to the planning policy being sound do you consider the planning policy to be unsound because it is not:

Positively prepared

Justified

Effective

Consistent with national policy

Please give details of why you consider the planning policy to be unsound and / or suggest changes as to how it could be made sound. Please make it clear which paragraph number or Policy box number you are commenting on.

CL7 a: I am unsatisfied by the RBKC's responses to my comments which were published in the Second Draft Responses Table document.

I maintain the 50% restriction to half the garden is not supported by evidence. What is used to defend this decision is a mix of statements and assertions.

Larger construction projects may be exempt from this restriction if comprehensively planned. I would say that any sized basement project if comprehensively planned should carry the condition that it may be exempt from the 50% restriction. Applying the exemption condition based solely on project size is poor policy and unjustified.

Planting and biodiversity can be achieved on 1m of topsoil. I do not see the need to achieve this through the 50% restriction.

CL7b: As stated in the Alan Baxter and Associates (ABA) report regarding larger basement extensions, which ABA refer to as 'double (or greater)'. They do not advise against them. Only advising more robust structural walls and temporary works. They see the competence of the contractor as the most important factor and not the number of levels.

Larger construction projects may be exempt from this single storey restriction if comprehensively planned. I would say that any sized basement project if comprehensively planned should carry the condition that it may be exempt from the single storey restriction. Applying the exemption condition based solely on project size is poor policy and unjustified.

I also bring to your attention that in the Council's Statement of Consultation those opposed to the policy are called 'individuals' and those supporting the policy are called 'residents'. This does not recognise that some residents, including me, submitted responses that opposed the policy. I would ask that the Statement of Consultation is changed (paragraph 3.10) to show that some residents did oppose the policy.

Please attach additional pages as required

Yes

No

Do you consider the Planning Policy Document to be legally compliant?

Please give the reasons for your choice below and be as precise as possible. Please make it clear which paragraph number or Policy box number you are commenting on.

please attach additional pages as required

Do you wish to appear at the Examination on any of these matters?

Yes

No

Please specify on what matter