

# 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:** Mr R M SWANN

**Company/Organisation:** none

**Representing:** self

---

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](mailto: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

**BASEMENTS Policy - para 34.3 and also Policy CL7**

Yes

No

Do you consider the planning policy to be sound?

YES

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.

**Basements Policy, Clause 34.3.50**

The policy is “justified” as it seeks to control what amounts to a completely inappropriate new use of buildings in quiet residential areas. This paragraph policy points out that multiple serial basement excavations have “*a serious impact on the quality of life*” with “*long term harm to residents' living conditions*” and that this amounts to “*a permanant inappropriate use*”. This is quite correct and most certainly “justifies” the restrictions proposed.

**Basements Policy, Clause 34.3.51**

The “50% of garden” limit and the “single storey” limit are justified in limiting the impact of development on neighbours. The new policy strikes a reasonable balance between the owner's right to develop and the residents' right to the quiet enjoyment of their own homes.

**Basements Policy, Clause 34.3.63**

This policy is “justified” as the current policy does not adequately protect listed buildings. We have relatively few listed buildings and it is necessary to protect them from unsuitable interventions.

**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.

*Not applicable*

Please attach additional pages as required

Yes

No

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

YES

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.

RBK&C has gone to great lengths to consult on this issue. I know as I have attended at least public consultation meetings. I recall that at one of these meetings, several developers were present and contributed their views to the discussion.

please attach additional pages as required

Yes

No

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

YES

Please specify on what matter

Basements Policy & Housing units policy