

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: Julia Swann

Company/Organisation: n/a _____

Representing: n/a _____

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

BASEMENTS - 34.3 and 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.

34.3.50 You say that developments close by can have *“a serious impact on the quality of life”*. This is absolutely true. We have suffered 6 years of basement excavations close to us, and now there is a new double-storey basement proposed opposite us, in our tranquil, narrow, court. When the first basement was being dug, I was not able to work at home, and was forced to have my business meetings in a nearby cafe because of the noise. When the second basement starts, that will be several years more of hell, and again I will not be able to invite people to my house in working hours during the excavation, soil removal and concrete pumping phases. You are correct to call this *“the equivalent of having a permanent inappropriate use in a residential area”*, and it has certainly *“caused long-term harm”* to the living conditions of myself and other residents nearby.

34.3.51 If basements are restricted to 50% of the garden, and to just one storey, this will reduce the amount of excavation. This proposal is in my opinion positively prepared, justified and effective. I support it, as it will make life a little less unbearable for people with major basement excavations happening as close to them as it has been to me.

34.3.54 we currently look out on leafy back gardens, but a more recent proposed development will involve the loss of mature shrubs, eg a large fig tree and extensive creepers that have been there for years. If the excavation was over 50% of the garden rather than 85%, we could still enjoy this sight. I therefore support the policy in this paragraph - it is positively prepared, justified and effective.

34.3.56 and 34.3.59 Our house is built on clay, and already it, and many others, has cracks. We support the limitation to a single storey of excavations - cracks often do not appear till a while after work is done, and so we look to the Council to give us some protection. I therefore support the policy in this paragraph - it is positively prepared, justified and effective.

34.3.63 You propose that basements under listed buildings should be away from the listed building. I strongly support this policy - the basement proposal opposite us is closely tied to the listed building, and covers almost the whole of the listed garden - and yet the Planning Department appear not to have the teeth to prevent it under the present policy. It is clear that the Planners need tighter legislation to enable them to properly protect our heritage assets. I therefore support the policy in this paragraph - it is positively prepared, justified and effective.

CL7 - my response to (a), (b) and (c) is covered above. These are all positively prepared, justified and effective.

CL7 (f) - this goes further than 34.3.63, as it says that development "*should not involve excavation under the garden of a listed building, except for gardens on large sites*" (where the basement would be "*substantially separate from the listed building*"). This policy will help to protect listed buildings from damaging development. The policy is positively prepared, justified and effective.

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.

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.

Yes

No

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

YES

Please specify on what matter

BASEMENTS