

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: Timothy Nodder

Company/Organisation: OAKLEY STREET RESIDENTS' ASSOCIATION

Email: chairman@oakleystreet.org.uk

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 CL 7 a CL 7 d CL 7 k CL 7 l

X

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.

The Policies in CL7 are supported as generally sound; they should be effective in relation to the circumstances of this street and recent experience, as indicated in our responses below to the separate sub-sections of CL7. Our comments on CL7 c , CL 7 e and CL 7 f , which are not judged sound , are for convenience the subject of a separate representation.

CL 7 a Sound. It will be helpful towards maintaining quality green space behind the terraces of this street. They do not have front gardens and the depth of the back gardens is generally less than the footprint of the building. The practice hitherto of allowing up to 80% of garden for basement excavation makes too great an inroad on the green corridor behind the terraces.

CL 7 d Sound. The presence of large mature trees is of great amenity value especially when there are many apartments in the upper floors of 4 or 5 floor terraces whose residents look out upon them.

CL 7 k Sound. The policy to control traffic and construction activity will be helpful as this street is a busy B road carrying much traffic including heavy goods vehicles and coaches throughout the day and at commuter hours. The lack of any front garden space here has meant that in one recent instance a skip occupied parking space for months; skips are charged by noisy conveyors running across the footway; skip remains in place and the contents are taken out by a grab mounted on a lorry drawn up alongside. This narrowed the highway further. Similar problems arise when concrete foundations etc are being laid.

It is not only the volume of soil excavation and new structural work below ground that causes these problems; projects frequently include substantial demolition and removal of waste and arrival of construction materials. (In the case mentioned a whole single dwelling was demolished and after excavation of a large basement is being rebuilt over many months.)

CL 7 l Sound. It should help to control the impacts of noisy machinery; in the case mentioned there were problems of air pollution by poorly maintained generators as well. The policy is right to emphasise control throughout the duration of the works. Because many of the terrace houses have been divided into apartments the number of residents affected by neighbouring works is increased well beyond the numbers in a street of detached houses.

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.

Continued on next page

Please attach additional pages as required

Yes **No** Do you consider the Planning Policy Document to be legally compliant?

X

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.

We are not in a position to provide an opinion on the legality. However, there was attendance from this street at several of the consultations described in the RBKC Summary of Consultation; written comments were submitted at appropriate stages. It was useful to attend the event at which one could hear and question architects and property consultants (RBKC Summary of Consultations para 2.16). The process of consultation appeared to be fair.

please attach additional pages as required

Yes No

Do you wish to appear at the Examination on any of these matters? YES X
Please specify on what matter

CL 7 a basements below gardens

CL 7 k traffic

CL 7 l noise etc.