

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: James Copinger-Symes

Company/Organisation: _____

Representing: _____

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

34.3.51, CL7 b, CL7 c

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
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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.

34.3.51: I think limiting the size of a basement excavation under a garden is unjustified. I can't see any evidence to support these limits. It looks like the 50% under gardens and single storey limits are arbitrary and not supported by evidence. The Alan Baxter report doesn't recommend that basements should be limited to a single storey or 50% of a garden.

I do not accept reasoning that basement gardens prevent planting of larger trees. There are examples of tree planting on roofs in the borough, Kensington Roof gardens are stunning and include large trees.

I would like to add that limiting the size of basement developments will have a significant economic and social impact across the borough, London & the UK. RBKC needs to take a wider view and align the planning policy with the greater goals of government and the need to get the economy growing again.

I would suggest that the 50% maximum limit be removed as the inclusion is not supported by evidence. Evidence to the contrary of the roof planting argument is visible within the borough.

CL7 b: Again, I can't see any evidence to support not building a basement of more than one storey. Reading the reports from Alan Baxter and Arup it is clear the risks are stated as acceptable. I haven't read any comments from any engineer that state multi-storey basements are unacceptable or even support this precautionary approach. These limits should be removed. If RBKC is concerned about risk then it should only allow applications from accredited contractors.

It does appear that the real reason for limiting multi-story to reduce construction impact. The other reasons such as risk have been forced in to provide justification.

CL7 c: My CL7 b comment above is applies to this policy too.

Again, I can't see any evidence to support not building a basement under an existing one. Reading the reports from Alan Baxter and Arup it is clear the risks are stated as acceptable. I haven't read any comments from any engineer that state multi-storey basements are unacceptable or even support this precautionary approach. These limits should be removed. If RBKC is

concerned about risk then it should only allow applications from accredited contractors.

It does appear that the real reason for limiting multi-story to reduce construction impact. The other reasons such as risk have been forced in to provide justification.

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.

There is no evidence to support many of the proposed restrictions.

34.3.51

CL7 b

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