

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: Mrs. Yasmin Ayoub



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

CL7a

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 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.

CL7a: I feel the Alan Baxter and Associates report is too vague regarding the information on some aspects of drainage which RBKC uses to support the recommended 50% maximum garden basement policy. Section 9.8.4 of the report says that 'the situation is not straightforward and will vary from site to site', and in the same section it says 'there is no simple rule of thumb that can be applied'. I think residents would be better served by a policy which takes a case by case view at applications for larger than 50% garden basements. Having read the Second Draft Response Table, I understand there are other considerations put forward by RBKC for the 50% restriction such as construction impact. I think this would be better managed through a separate policy.

I am not convinced RBKC are taking a balanced look at some of the supporting evidence provided by Alan Baxter and Associates. It is my opinion that this policy be revised so larger than 50% basements extensions are dealt with on a case by case basis based on the individual criteria that have been set out; garden planting, drainage, construction impact, structural stability, carbon emissions etc. If each of these is acceptable then there should be no reason for refusal. This seems the most appropriate strategy when considered against the reasonable alternatives.

Not to follow a strategy like this would make the policy ineffective as some would surely appeal their refused planning applications leading to the whole policy being undermined.

CL7k: I do not think that the banning of skips on the road except in exceptional circumstances has been founded on a proportional evidence base. I cannot find any evidence for this provided by the Council. If the intention is to ease traffic problems then it would be a more effective approach to require a traffic plan that does not cause undue disruption. However some disruption during building works will always exist and is indeed part of life in London. If the precedent is set in this policy that traffic problems can be used to stop construction across the board at planning policy level then all sorts of construction and building works across London will be at risk of being halted. There may well be some quite broad implications if this sort of policy is approved. The policy does not seem the most appropriate approach when

considered against the reasonable alternatives. There also does not seem to have been a proportional evidence base provided.

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.

I do not know if the policy is legally compliant.

please attach additional pages as required

Yes

No

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

Please specify on what matter