

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: Rebecca Gibson

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

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: The size limit for basement extensions should not be fixed at 50%. The reasons provided by the council such as drainage, planting and garden levelness can all be addressed at the planning stage. The council should promote good engineering and design practice to solve these problems. If the 50% policy was introduced there is nothing preventing residents from paving over the remaining garden. This policy does nothing to protect biodiversity, garden levelness or alleviate drainage issues in such cases. Other issues such as construction impact caused by larger basement extensions are the same regardless of project size. If construction impact is not managed by the contractors and overseen by the council then it doesn't matter if the basement is 50% of the garden or 100%, the problem still exists. A full evidence base for the 50% limitation has not been provided.

CL7b and c: The Alan Baxter report flies against this policy and does not say that basements of more than one level should not be allowed. The council, without the support of its own professional engineering consultants, has decided that structural risk is sufficiently significant to be one of the justifications for not allowing basements of more than one level. With this in mind the council has not provided a proportional evidence base for these two policies.

CL7k: In general I do not think that the council has provided sufficient evidence that basement construction causes so much construction impact that a policy can be introduced that will be an effective ban in some areas. This part of the policy looks like it will have the power to be a ban on basements in all but name.

34.3.70: It is unclear what 'exceptional circumstances' means here. Skip use is only temporary and is already managed through skip licences. It is not necessary to prevent skips from being placed on the highway outside the application site. Furthermore, it would seem above ground extensions are not included by this restriction. How can it be right to have a separate restriction just because construction work is related to a basement? This justification has is not proportional and has not been supported by evidence..

Please attach additional pages as required

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

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.

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