

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: Kim Howell

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

34.3.58, CL7 a, 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 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.

34.3.58: I cannot understand the logic for how the new policy is able to justify having different rules for different size sites. It is stated that plant and machinery can be located on a large site. I would think this would be the case for most sites regardless of size in the Royal Borough. If not, then having a site partially on the street is very common in London and easily planned.

The explanation does not justify the policy. If a basement is well designed with a sound approach to all aspects of the construction lifecycle then there should not be a size limit, especially not one as arbitrary as 50% of the garden. The council should revisit this with a broader perspective with the aim to provide justification for their decision. As is, this policy is unsound and not properly justified.

CL7 a: A restriction of half of garden is not supported by any evidence, and therefore not properly justified. It is only following an unjustified recommendation. A better solution would be remove the proposed 50% limit and to have a garden drainage scheme designed and vetted by suitably qualified persons. This would ensure proper drainage for garden basements regardless of size and proper protection of trees.

CL7 c: There is no justification for not allowing a basement to be construction under an existing one. After reviewing the Alan Baxter report, there is no mention that basements should be limited to a single storey. The report also states the structural risks are acceptable. These important facts are being ignored in drafting this policy. This is unsound and not how policy design should be implemented.

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.

please attach additional pages as required

Yes

No

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

X

Please specify on what matter