

# 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:** Bill Buckley

**Company/Organisation:** Resident

**Representing:** Self

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](mailto: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, CL7k

**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 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: All basements projects should be comprehensively planned. Using this reason to make exceptions to the 50% maximum use of each garden for larger planned sites is a flawed logic.

Other factors in the proposal for limiting basements under gardens are provided such as the effect on drainage and planting.

The drainage issue can be solved by ensuring that proper drainage design is enforced. If comprehensively planned this will have been done. If it can be done for a large project then there is no reason why it cannot be done for a smaller one.

I do not think it is RBKC's place to dictate garden design and planting which you are doing indirectly through this policy.

A resident without a basement can pave their entire rear garden (provided no felling of trees is necessary) as this is permitted development. This would have a much larger negative impact regarding drainage than a resident with a larger than 50% garden basement where good drainage design was implemented. Imposing a 50% maximum of each garden limit is not a valid way to ensure correct drainage or planting. The one metre of soil rule allows future planting so this is not a valid way out for saying that drainage is not the only consideration. The Council's comments to the second round of consultation do not answer the questions put. Instead they head off tangentially and include largely irrelevant information. For example the Council comments give information from the London Plan about gardens. Irrelevant as the garden that goes back on the basement roof with the one metre of soil is a perfectly good garden and just as good as any of the natural original gardens. The reasoning used to support this policy is flawed.

CL7k: I cannot understand how 'unreasonable inconvenience' is measured. Using this term in the policy without defining how it can be determined is pointless. This should be removed or a definition referenced. Better still the wording should be turned around to be that applications will be allowed that do not cause unreasonable convenience.

In addition the council has given no evidence that basement construction is more dangerous to the public than above ground construction?

This policy should be altered or removed.

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.

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**