

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA  
ENVIRONMENT SELECT COMMITTEE – 6 DECEMBER 2021**

**DIRECTOR OF PLANNING & PLACE**

**PLANNING SERVICE PEER CHALLENGE RECOMMENDATIONS - UPDATE**

This report provide ans update to each of the 12 key recommendations of the Planning Advisory Service planning service peer challenge.

**FOR COMMENT**

## **1. EXECUTIVE SUMMARY**

- 1.1 The Planning Advisory Service (PAS) carried out a peer challenge in September 2019, looking at the Planning Service. It then produced a report setting out several recommendations on how the Service could meet its statutory requirements and contribute towards the Council's change and development objectives.
- 1.2 A report suggesting an initial response to the recommendations was brought to the Environment Select Committee on 6 July 2020. At this meeting it was agreed that Planning & Place would start work to implement the identified measures and that an update on the progress of this would be brought back to the Committee at an appropriate time.
- 1.3 This report provides updates on the progress of this work.
- 1.4 There are 12 recommendations in total, numbered R1 to R12. Each of the recommendations are discussed below.
- 1.5 Many of the recommended responses set out in the 6 July 2020 report are the subject of separate pieces of work, spanning across the Development Management and Spatial Planning services and varying in complexity and detail and therefore the amount of progress will differ. Some of the recommendations are also linked and will be discussed together.

## **2. THE PLANNING ADVISORY SERVICE'S RECOMMENDATIONS (R1 – R12)**

### ***R1 – THE FOCUS ON IMPROVEMENT AND CULTURE CHANGE MUST REACH BEYOND THOSE FAILINGS HIGHLIGHTED BY GRENFELL.***

***The planning service must ensure that the focus on improving relationships with the community and establishing more open and transparent engagement is aimed at addressing those perceptions and community concerns about the role of planning that eroded trust in the planning service for some time prior to the Grenfell fire.***

- 2.1 The Statement of Community Involvement adopted in February 2020 provides the structure through which the process of improvement has been enacted. The SCI, which can be viewed [here](#), sets out the principles of engagement, consultation techniques and details of how residents and stakeholders can get involved in all aspects of planning. It has set out new ways of involving the community in the early stages of policy making and engaging with the community in the evolution of significant development schemes in their area. Following the adoption of the Statement of Community Involvement, there has been an increased emphasis on early engagement with residents and the wider community.
- 2.2 In terms of Development Management, Development Forums have been introduced with the first forum scheduled for 24 November 2021 for the Kensal Canalside Opportunity Area site. Meetings were held last year with representatives of resident associations to discuss the details of the forums and how they might be conducted. It is anticipated that the details of the forums may evolve over time depending on outcomes.
- 2.3 The Planning Service meet with residents' associations every 6 - 12 months to share information and listen to the community's concerns. These are open and frank discussions aimed at increasing transparency and openness, building upon relationships with the wider community and breaking down barriers.
- 2.4 Prior to Covid-19, the Development Management service would meet with associations such as the Ladbroke Association, Norland Society and Pembridge Association which have been very useful. These were not continued during lockdown but now restrictions have been lifted, we will be resuming these in the new year with a hybrid offer to increase engagement and attendance.
- 2.5 Our planning advice service has a large emphasis on early engagement between applicants, the community, and residents and for the large schemes, an engagement strategy is developed and agreed as part of the pre application process. This strategy will include when and how the community are engaged as well as other stakeholders including Lead Members and Councillors ensuring engagement starts early in the process. There is no prescriptive approach to consultation as each site will have a bespoke approach depending on the nature of the proposals.
- 2.6 For smaller developments, we will be introducing a standardised consultation template which will require details of discussions with neighbours and those directly affected. We will be including this requirement in the updated Local Validation List on which consultation will begin in January 2022.
- 2.7 Work is continuing regarding better IT solutions to view planning applications, allowing larger development proposals to be viewed in 3d through a partnership with Vu-City. It is expected this will go live early next year.
- 2.8 In terms of Spatial Planning (Planning Policy and the Growth and Delivery team) a range of tools have been set out and used. Examples include targeted focus meetings outside of the Town Hall to groups of residents we do not normally hear from and the use of social media through Built ID which has been highly successful. Bespoke meetings with the principal residents' associations, the Kensington Society and the Chelsea Society continue. The responses

outlined to the questions raised by PAS give more details. However, the thrust has been to create more open and transparent engagement and significantly widen the group of respondents, so they are spread throughout the borough and come from a variety of backgrounds and age groups. We have been successful in not only publicising more widely engagement meetings but the response rate to consultations has increased significantly. We have managed to have more 1 to 1 conversations by employing a bespoke Planning Engagement Officer and this has helped to build trust.

**R2 – PLANNING NEEDS TO PROVIDE THE EVIDENCE THAT COMMUNITIES ARE BEING INVOLVED AND LISTENED TO.**

***RBKC's 'our plan' states that the Council will 'involve local people in decisions'. Expectations have been raised. The planning service will, as soon as possible, have to show how it has interpreted this and to demonstrate, with evidence, how listening to and responding to its communities is shaping planning policy and influencing the priorities and decision-making processes of the development management service.***

- 2.9 In terms of the Local Plan and the shaping of planning policy an additional non – statutory consultation was included prior to the Local Plan Issues and Options stage and an Issues consultation was also run. The intention of this was to give a very early steer to some of the key issues that the Borough faces. By doing this the Issues and Options consultation could be shaped accordingly and the format for each Issue started with a 'You told us' introduction. It also contained results from the Built ID user poll on issues such as community (affordable) housing and what does the community need most? Whilst we obviously cannot base planning policy on poll results it has given the opportunity to share the debate a lot more widely than previously and given an indication of what is important.
- 2.10 In both Spatial Planning and Development Management, the work outlined in Recommendation 1 is also relevant to this recommendation.
- 2.11 In terms of Development Management, we still have the customer satisfaction surveys for applicants and agents which can be completed after a decision has been made. Return rates are low which could indicate that customer satisfaction is high. We intend to consider expanding our range of surveys to include residents, but we need to explore if we can do this using the existing software (Survey Monkey).
- 2.12 We are yet to explore the possibility of 'drop in' sessions across the Borough to deal with general planning queries. We already offer a duty planner service which is available Monday to Friday between 8.30-13.00. It doesn't include face to face interaction however it is popular. We will need to think carefully about the terms of reference for any drop-in sessions including how they would be advertised, resourced and where they would take place. We also need to be careful not to undermine our planning advice service or the duty planner service.

- 2.13 We have placed greater emphasis upon visiting neighbours to explain proposals and their assessment even during lockdown by carrying out virtual site visits. Now that we can carry out in person site visits, the emphasis remains.

***R3 – TO SECURE EARLY BUY-IN AND GAIN TRUST, THE APPROACH TO ENGAGEMENT AND CONSULTATION ON THE LOCAL PLAN REVIEW SHOULD BE REGULARLY EVALUATED FOR ITS EFFECTIVENESS.***

***It should be borne in mind that often the statutory consultation requirements do not lend themselves to easy or early resident and stakeholder engagement and may give cause for confidence in the process to degenerate. This would be a missed opportunity in RBKC as there is a genuine desire by those who have a stake in the future of the borough to engage in the plan review from the beginning.***

- 2.14 The adopted Statement of Community Involvement sets out a range of engagement and consultation tools that the department has used for the Local Plan review. In addition to the normal round table meetings that we have with the Kensington Society and Chelsea Society and representatives of some of the larger residents' associations we have been targeting conversations with harder to reach groups at each consultation stage and we are yet to commence statutory consultation which starts at the draft policy stage. Using the tenant consultative committee to provide a new engagement group and continuing discussions with Grenfell United regarding the Community Housing SPD are examples of widening our engagement with the hope of building trust in the longer term.

- 2.15 The use of social media platform Built ID has provided some impressive results regarding engagement as opposed to statutory consultation. For example, for the New Local Plan Issues consultation there were 1,096 unique voters and 4,592 unique votes cast. There were 440 ideas shared and Facebook displayed the advertisements more than 1.3 million times. This provides a useful basis for moving the discussion forward on issues and means that we are widening engagement to different age groups with those under 40 much more involved than previously.

- 2.16 The formatting of documents has also changed with them becoming leaner, with more pictures, graphs and the inclusion of summaries. The format, 'You said, we did' has proved popular and easy to understand. We intend to adopt this approach in the new Local Plan and provide a more digitised plan. We were fortunate to be selected for the Government's pilot for Local Plan digitisation together with a useful grant and this has assisted our thinking in how to make the new Local Plan as accessible as possible.

***R4 – THE REVISED LOCAL PLAN SHOULD BE THE FOCAL POINT FOR A MORE FORMAL AND JOINED UP APPROACH TO PLACE-MAKING ACROSS THE WHOLE COUNCIL.***

***The forthcoming review of the Local Plan should establish more formal and joined-up levels of collaboration and shared ownership of 'place-making' across the whole council. There needs to be a commitment to how departments will work together (and on what) and include a clear set of objective and timetabled priorities. The critical ingredient of success is***

***that the leadership in all key services across the whole organisation are committed to joined-up, corporate planning and delivery.***

- 2.17 We recognise that an effective approach to Place making means working across the whole Council. Significant time and other resources are devoted to ensuring that a fully joined up approach is achieved, and we have been successful in close working with all service departments on different aspects of the Local Plan. We recognise that we cannot achieve sound robust policies in the Plan without other departments such as Economic Development, Social Assets and the Housing department being closely involved in policy development. This is because the Local Plan is a plan for the whole council and many of the policies will involve an input from other departments if they have successful outcomes and some involve ongoing commitment after the planning decision is made.
- 2.18 To give just one example, the provision of an affordable workspace policy involves close working with our Economic Development Team because depending on the model selected different resource commitments will be required as to how closely the Council wishes to administer the scheme. We require a robust evidence base for policy development and that inevitably involves joined up working.
- 2.19 Our Growth and Delivery team goes further and works on place making projects throughout the borough not only setting out the approach in the Local Plan but helping to deliver this working with other departments. A good example of this is the work on town centres and improving their vitality as part of the Covid recovery programme.
- 2.20 Councillors are kept fully up to date with policy development including the Lead member and regular steers are provided. This ensures that joined up, corporate planning and delivery is successfully achieved and there is ownership of the Local Plan throughout the Council

***R5 – PLANNING NEEDS A MECHANISM THAT GIVES IT CONTROL AND BETTER STRATEGIC OVERSIGHT OF MAJOR DEVELOPMENT SCHEMES.***

***Recent London Mayoral Call-Ins of major applications has created a perception that the Council is not in control of decision making. A mechanism (e.g. a 'Board') should be established to provide a more transparent and robust governance structure for the delivery of major development schemes. A Board, set up with appropriate political support and departmental representation would help the planning service steer and keep control of the decision making and the delivery of major development schemes.***

- 2.21 We have reintroduced Majors Board earlier this year. The members include the Executive Director of Environment and Communities, Director of Planning and Place, Heads of Service, Team Leaders, and case officers and incorporates colleagues from both Development Management and Spatial Planning.
- 2.22 Majors Board allows for more strategic oversight of the large, more contentious applications, enabling us to be on the front foot, and to agree principles around

engagement (with residents, the wider community, and councillors, including the Lead Member) (also relevant for R1 and R2).

- 2.23 We also meet with the Lead Member for Planning, Place and the Environment every two weeks and at each briefing, there is a standing item for large sites which is to provide the Lead Member with updates as and when. We will also present sites for future discussion and information where appropriate.
- 2.24 For the Council's New Homes programme, there are several board meetings with Housing and Property along with Planning which are intended to allow for a more co-ordinated approach. This is a work in progress.
- 2.25 Factual briefings are arranged for large sites so that Planning Committee members can be appraised of a proposal prior to the submission of an application or its consideration by the Committee.

***R6 – THE REVIEW OF THE LOCAL PLAN SHOULD BE USED AS AN OPPORTUNITY TO LEAD THE WAY IN NEW AND INNOVATIVE APPROACHES TO COMMUNITY ENGAGEMENT.***

***The forthcoming review of the Local Plan is an opportunity for the planning service to demonstrate new and innovative approaches to community engagement. The service is under a healthy 'pressure' to take community engagement beyond the norm, and this is an opportunity to lead in tackling the many and perennial community engagement issues planning departments across the country face.***

- 2.26 Innovative approaches to community engagement have already been covered in this paper so they will not be repeated further. The use of a social media platform has enabled a much wider audience to not only be made aware of the Local Plan than previously, but users also have different ways of responding. Using the polls can be done quickly and being able to use your phone means that it can be done flexibly. However, there is also a link to the on-line consultation enabling a more detailed response if the user so desires.
- 2.27 In addition to the social media platform more targeted conversations have taken place using digital remote conversations, but in person where that has proved possible. This is in addition to the normal conversations we have with our amenity societies as part of Local Plan policy development. The other significant development has been the creation of a post for a Planning Engagement officer who sits within the Growth and Delivery team. This officer works across the department and has been able to have many one to one conversations which would have not been possible in other circumstances.
- 2.28 The look of the new Local Plan will also change making it more digital friendly and simpler to understand. It will be a leaner document avoiding superfluous detail with less text and more pictures and illustrations. It will have a more intuitive approach so that readers will readily understand why the policies have been worded in the way they have whilst at the same time acknowledging the drafting has to be legally compliant.

***R7 – COMMITTEE PRACTICES AND PROCEDURES SHOULD BE KEPT UNDER REVIEW TO CREATE A PLATFORM FOR A MORE OPEN AND***

## **ENGAGING EXPERIENCE FOR THE PUBLIC AND TO FOCUS RESOURCES ON THE RIGHT TYPES OF DEVELOPMENT**

***Planning Committee is the shop windows for how the Council makes planning and place-shaping decisions. Any review should consider:***

- (i) The implications (including resources) of running planning committee meetings 3 out of every 4 weeks of the month;***
- (ii) Whether the pooling systems of committee members and chairs – rather than having a fixed committee membership with substitutes to cover absences – is affecting consistency in and between committee meetings;***
- (iii) Whether the number of committee members is allowing for the necessary breadth of views on development proposals;***
- (iv) How effective the call-in powers and scheme of delegation is in ensuring that committee is focused on the discussion of significant schemes;***
- (v) Creating opportunities for the presentation of pre-application schemes to committee and possibly formal pre-application public meetings in advance of the committee;***
- (vi) Introducing a programme of briefings throughout the lifetime of a scheme's development and rely less on reports presented as part of the committee preparation process;***
- (vii) The introduction of a 'screening' role for the Chair before cases are allowed on the agenda.***

2.29 This is one recommendation which has seen slower progress, partly because all committee meetings were virtual until May 2021. Now that we have returned to in-person meetings, we will be picking up the pace with the review, but the Chairman remains to be persuaded about how far the review needs to go. Discussions continue.

2.30 In terms of what has changed since July 2020:

- We trialled reducing the number of committee meetings between November 2020 and May 2021 which worked well. This was stopped because of the return to in person meetings but it is anticipated that we may continue a trial at the beginning of 2022
- We continue to adhere to the scheme of delegation and as a result have seen a reduction in the number of committee cases coming forward allowing members to focus their efforts on development proposals of wider interest
- Factual briefings provide an opportunity for the presentation of pre-application schemes to committee. Our planning advice service includes member engagement during the pre-application process and a series of briefings through the lifetime of a scheme's development

## **R8 – THE PLANNING SERVICE NEEDS TO KEEP RESOURCES AND HOW THEY ARE USED CONSTANTLY UNDER REVIEW**

***The review team are of the opinion that the planning service is well-resourced to deliver the day-to-day planning service. However, the service is embarking on a number of key projects at the same time. The planning service needs to be properly resourced to achieve its objectives and while much of this can be achieved by re-organising and re-focusing its current resources, the new and innovative work that it is embarking upon will need supporting with additional resources where required.***

- 2.31 Development Management remains well resourced. Full recruitment was finalised earlier this year although several officers have left or will be in the coming months. The job market is competitive and so this is not a surprise.
- 2.32 We have a work programme for 2021/22 and for now, progress is being made, albeit slowly, but the movement is in the right direction.
- 2.33 Spatial Planning (Planning Policy, Growth and Delivery, Design and Heritage) is also adequately resourced. The opportunity was taken last year to strengthen the Planning Policy team which was operating with a team leader and two senior planners with two new policy officers. This has enabled the new Local Plan to stick to timetable in addition to the production of important policy documents such as the Greening SPD and the Community Housing SPD.
- 2.34 The Growth and Delivery team has also been strengthened with two senior officers so that site delivery and production of planning guidance documents such as the Kensal Canalside SPD has been possible together with work on improving the vitality of our town centres. A Planning engagement officer has also been appointed. The other area that has been strengthened is design with the use of Public Practice to get our urban design officers. This is an area where the Government is placing particular emphasis with the use of design codes.

## **R9 – COORDINATE AND PRIORITISE THE RECOMMENDATIONS FROM VARIOUS PLANNING IMPROVEMENT INITIATIVES.**

***It is important that the recommendations of all current and forthcoming improvement projects are co-ordinated alongside the recommendations of this report and not treated as individual projects. There are many cross-cutting themes and joining these up with create the most efficient and effective means of delivering change, improvement and outcomes for all stakeholders.***

- 2.35 This recommendation requires work. We have a Planning and Place Service Plan which draws upon all of the various workstreams and initiatives, but we need to continue to ensure that this is delivered to timetable and that we are joined up where we need to be and are delivering what we need to deliver when we need to.
- 2.36 The Service Plan sets out Lead member priorities and is based on outcomes and the PAS recommendations are now firmly embedded in Spatial Planning work. Both Spatial Planning and Development Management work very closely together and all the recommendations have been addressed to a greater or

lesser degree, perhaps those on Development Management for Committee review could go further.

**R10 – DELEGATE DECISION MAKING AMONG A GREATER NUMBER OF STAFF**

***The planning department deals with a variety of work and has experienced and competent staff at all levels. Allowing decision making to filter across a greater number of staff with create capacity, a more consistent and efficient service for customers, support career development, increase staff confidence and encourage more aligned local decision making. This would also have the associated benefit of identifying potential efficiency gains and better use of resources.***

- 2.37 The delegated decision-making powers for planning applications that allow for decisions to be taken remains the same as it was in July 2020 however, we are working more flexibly within that given the new structure which was fully implemented in March 2020. More delegation is required to allow team leaders and the Head of Development Management to focus on project work and deliver the Service Plan.
- 2.38 A review of the restructure is due to commence shortly, and we will be considering delegated powers and how they are used as part of that to make sure that what we are doing is the best it can be?

**R11 – THE SERVICE SHOULD ADOPT A MORE COLLABORATIVE APPROACH TO NEGOTIATING ON NON-MAJOR APPLICATIONS.**

***Finding ways of resolving objections and negotiating with agents and applicants as early as possible will help deliver a more customer-orientated service and improve efficiency by reducing the number of withdrawn applications/refusals and the number of resubmissions and appeals.***

- 2.39 We strongly encourage applicants to work with us using our planning advice service and to engage with neighbours and interested parties at the earliest stage possible. We recognise that early engagement will not always result in a positive outcome.
- 2.40 When providing written planning advice, and during meetings, we stress the importance of working with residents and the wider community as early as possible. The Statement of Community Involvement already encourages early engagement, and this can be complemented by advice through the development management process for applicants to engage productively with neighbours before submitting pre-application enquiries.
- 2.41 We have just finished writing a new draft of the Local Validation List which we will hopefully be consulting on in December. One of the new requirements is a Community Engagement Strategy. We cannot insist on it for the purpose of validating an application, but we have said that one will be required for all applications to demonstrate how applicants have engaged with their neighbours and others, what the outcome of that engagement was and how it might have influenced the proposed development. We cannot make applicants engage but we are doing the most we can to encourage it.

**R12 – EXTEND THE RANGE OF TOPICS PROVIDED IN COMMITTEE AND COUNCILLOR TRAINING.**

***Training needs to be open to all councillors, not just committee members and needs to extend beyond functional matters (e.g., probity, declarations of interest etc.) into a broader set of topics e.g., the new-reviewed local plan policies, the London Plan, affordable housing, density, design and heritage and viability.***

- 2.42 Several training sessions were held in 2021 and we are currently working on the training programme for 2022, which will include sessions on members handbook, trees, material considerations in Planning, enforcement, and the emerging Local Plan. These sessions will be open to all councillors although attendance has been low in the past.

Amanda Reid  
Director, Planning and Place

**Background Papers used in the Preparation of this Report:** Previously published reports - 6 July ESC report and PAS final feedback report.

**Contact Officers:**

Lisa Cheung, Head of Development Management at [Lisa.Cheung@rbkc.gov.uk](mailto:Lisa.Cheung@rbkc.gov.uk) and Jonathan Wade, Head of Spatial Planning at [Jonathan.Wade@rbkc.gov.uk](mailto:Jonathan.Wade@rbkc.gov.uk)