



# Statement of **Community Involvement**

February 2020



THE ROYAL BOROUGH OF  
**KENSINGTON  
AND CHELSEA**

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# Foreword by the Lead Member for Planning and Transport

## Planning decisions have a huge impact on our communities.

They can affect the character of, and amenities in, our neighbourhoods; as well as having big influence on our residents and our businesses.

Each and every person who interacts with an area has a stake in how it is developed: we live here; and we use our roads, our shops, our restaurants, our bars, our cinemas and our gyms. That is why it is vital that we all play our part in shaping our places and spaces.

However — as a young person, living in RBKC — I know that not everyone feels that he/she/they can play that part in the planning process.

I, myself, have felt that the planning process can be a complex and obscure system to engage with for local people.

And whilst I recognise this is a national concern - that very many citizens feel disconnected from urban planning and their public realm - I am determined to make the planning process more agile, more accessible and easier for RBKC's local residents, stakeholders and developers to use.

In fact, it would be a great thing if our borough could help to lead the way: harnessing new technology to make a wider range of voices, including those of younger people, heard in the planning process.



**Cllr Johnny Thalassites**

As a Council, we are committed to listening to local residents and businesses; and just the same, we are committed to ensuring that people have a real say in the planning decisions that matter to them in their local area.

We would hope that by facilitating conversations earlier on between communities and developers, as well as the Council, planning applications can emerge that better fit the local context and that enhance our local areas.

Traditional consultation methods like letters, emails and public meetings, have proven very effective for many residents and businesses. They are important and valued means of hearing from many well-informed voices in our communities. However, I want to build on successful patterns of engagement by proactively looking for ways to embrace digital communication in the planning process. Not only can digital communication, via social media and its associated interactivity, reach new voices in our borough - it can make all the difference for those who work full-time and can't make that meeting at the Town Hall, or those with issues in attending public meetings.

We want to empower all our residents, community groups and businesses to have an impact on their area.

We do not want to set out our vision in a vacuum: we want to hear from residents, through all means of consultation.

**We are here to deliver the priorities that matter to our residents.**



# 1. Introduction

- 1.1** We are a Council that wants to put our communities first in the planning process - listening to our residents and businesses, and championing early engagement between local people, developers and the Council.
- 1.2** We recognise that good planning, which is dynamically responsive to our communities' complex and ever-changing social and economic needs, can have a big, positive effect on the life and vitality of our borough.
- 1.3** In our small and highly densely-populated area, we know it is particularly important to hear from interested voices, in order to deliver planning policies that can support the creation of the homes, jobs, schools, parks, social and community spaces and infrastructure that will meet the strategic demands of the area and command local support in Kensington and Chelsea.
- 1.4** Although the production of a Statement of Community Involvement (SCI) is a statutory requirement, the Council fully appreciates that all the people who live, work and learn in our borough have a stake in its future and must be involved proactively. We want to put all those people at the heart of our planning decisions. This document aims to set out the way in which we will involve residents, businesses, community groups, investors and other stakeholders on planning matters.
- 1.5** Not only do we want our SCI to set out how residents and stakeholders can get involved in planning, which is an iterative process, but we also want to make it quicker, easier and more accessible to have your say in the planning process. We want to widen access to planning, so that all our communities feel they have a voice in shaping our places and spaces. This document is structured around the various stages of the planning process with overarching sections setting out our principles of engagement and consultation techniques.

## Various stages of Planning

- 1.6** The planning system works in the public interest. It seeks a balance between the rights of individual land owners to enjoy their property whilst ensuring that impacts on others are minimised. Effective consultation at the right time can help achieve this balance. There are a number of inter-linked strands within planning. Our residents and other stakeholders may interact with planning across all of them or only at one particular stage.

**Figure 1: Spine of Planning**

## 1.7 Preliminary consultation on the Statement of Community Involvement

The SCI has evolved from on-going engagement with local residents and organisations to find out how we can improve planning consultations. The engagement has taken a number of forms, through meetings, email correspondence as well as attending other consultation events. A pre-engagement leaflet was created to inform and invite people to make comments.

**1.8** In summary, the pre engagement has included;

- A meeting held on the 1 March 2019 with Residents' Associations and Agents; (attended by Kensington Society, Ladbroke Association, Chelsea Society, Milner Street Area Residents' Association, St. Quintin and Woodlands Neighbourhood Forum, Turley, CBRE and Studio Indigo).
- Officers attended the Action Disability Kensington and Chelsea (ADKC) meeting on 14 March 2019 to take their views on planning consultations.
- The SCI leaflet was circulated at the Kensal Canalside Opportunity Area Consultation events at Canalside House 18 March, Pichi Café 20 March, Sainsbury's (Canal Way) 27 March and Dalgarno Trust Community Centre 30 March 2019. Officers had informal conversations with some of the attendees.
- A mail out was sent to a list of contacts from the Community Engagement and Housing Teams to residents/stakeholders publicising the intent to produce the SCI and providing the opportunity to make written comments by email. The email was sent on 26 April and 8 May inviting responses until 24 May.
- Officers met with a few community groups in North Kensington to take their views on board.

## Statement of Community Involvement production process

**1.9** The Council considered all the comments made at preliminary consultation produced draft SCI which reflected the feedback received. The draft SCI was consulted from 30 September to 11 November 2019. The responses we received are set out in a schedule of responses in the [SCI webpage](#). This SCI reflects the feedback we have received through both consultations. The SCI was adopted on 12 February 2020. Figure 2 illustrates the process of producing the SCI. We will follow all the commitments that we have made in planning consultations.

**Figure 2: SCI production process**



## 2. Principles of engagement

2.1 We will use the following principles of engagement for all stages of planning:

| Figure 3: Principles of engagement |  |
|------------------------------------|--|
| 1                                  | We will continue to adhere to <b>legislative</b> requirements, including relevant acts and regulations, in all planning matters.   |
| 2                                  | We will strive to write planning-related documents in accessible and direct terms – meaning (we hope!) <b>less jargon</b> .  |
| 3                                  | We will pursue a <b>collaborative approach to policy</b> development – hearing from residents and businesses wherever possible – in order to deliver the best outcomes for those whom we are here to serve.  |
| 4                                  | We will <b>champion early engagement</b> in planning matters, involving residents and other stakeholders. This will apply to both policy development and individual applications   |
| 5                                  | We will <b>proactively engage</b> with our communities, especially younger audiences, through online engagement. We want to hear from a wider range of voices than ever before, and must adapt to the way people choose to make their voice heard.   |
| 6                                  | We will reach out to our communities in the most direct and least resource-intensive manner possible, so that we can deliver <b>simple and cost-effective</b> mechanisms for engagement in planning matters.   |
| 7                                  | We will set out clear expectations in relation to how we want <b>developers to engage</b> with our communities throughout the planning process, urging them to work constructively with residents and businesses. We want developers to actively seek residents’ and businesses’ views. By giving this clarity, developers can feel supported in bringing forward ambitious plans that will improve our local area.  |
| 8                                  | We will develop ways for both, new and existing residents and businesses to <b>feed back</b> in the post-development phase to the Council. We think residents and businesses, who have seen first-hand how applications have been seen through to completion, will have valuable insights that we can take forward into future applications. New communities will be particularly relevant in the post development stages. This regular loop can help to deliver desired outcomes and can be incorporated into policy reviews. |
| 9                                  | We will invite <b>ward councillors</b> to meet with major site case officers, and developers, at the earliest possible point – in order to articulate their communities’ support or concerns for major applications at an early stage where their thoughts can be impactful and, we hope, acted upon.  |

# 3. Consultation techniques

**3.1** We want to use lots of ambitious consultation techniques to reach out to our communities in the planning process. In line with Principles above, we will deploy consultation technique(s) best suited to the application. In time, we want to evolve those techniques to reflect the changing landscape of how people communicate.

**Figure 4: Consultation techniques**

| Method   | Explanation   |
|--|---|
|  <p><b>Traditional written methods (Website, letters, emails and local press)</b></p> | <ul style="list-style-type: none"> <li>● All planning policy documents, planning applications, consultations and supporting information will be available on our website. We should also use the website for online comment forms, questionnaires and feedback.</li> <li>● We will use emails to keep residents and interested parties updated on consultations, the stage of preparation reached, adoption and general updates.</li> <li>● We will email updates from the Planning Policy database to keep people updated on all relevant planning matters.</li> <li>● We will be mindful that a number of residents and local stakeholders prefer to hear from us about planning matters via written communications.</li> <li>● We will advertise major consultations in the local press, letters, and so we should make provision for those people.</li> </ul> |
|  <p><b>Social Media (Facebook, Twitter, Instagram, Next Door)</b></p>               | <ul style="list-style-type: none"> <li>● We will use social media, including Facebook, Twitter and Instagram, to spread the word about planning policy consultations and opportunities to discuss major planning applications.</li> <li>● We will harness social media’s quick and great reach to seek out live and near-live feedback on policy and applications, through snap polls and interactive features.</li> <li>● We will pilot new technologies that help residents see what developments will look like, so that all interested parties can get a feel for how their area may benefit or be disadvantaged by an application.</li> </ul>  |

| Method   | Explanation  |
|--|--|
|  <b>Face-to-Face (Public meetings, workshops and Citizens' Panels)</b>                         | <ul style="list-style-type: none"> <li>● We will meet with groups and organisations relevant to policies or applications that are in development. We may also hold public meetings where individuals can contribute their thoughts.</li> <li>● We will facilitate workshops and events that may be appropriate to discuss issues in detail and ensure that a range of people have a chance to express their thoughts.</li> <li>● In some instances, we might form citizens' panels, which are representative, consultative bodies of local residents, who can identify local priorities and consult on specific issues.</li> </ul> |
|  <b>Open Access (Public exhibitions, Open days, Drop in sessions, Leaflets and Canvassing)</b> | <ul style="list-style-type: none"> <li>● Where appropriate, we may use a mix of consultation material to capture comments from the public.</li> <li>● We will facilitate public events where there is local demand, to hear what residents think about policy development and planning applications.</li> </ul>  |
|  <b>Site Visits</b>   | <ul style="list-style-type: none"> <li>● We may organise site visits for residents and business to see and consider in greater detail major sites that may be developed.</li> </ul>  |

**3.2** Signing up to [MyRBKC](#) will allow you to set up email notifications for planning applications and notifications about works in a chosen area. Our stakeholders can also sign up to the Council's [e-newsletter](#) to learn about news, services, events and more in the borough. In addition, the Council publishes two magazines: [Our Borough](#) and [North Kensington News](#).

## 4. Digital engagement

- 4.1** Planning and Place (the Council's Planning Department) is committed to working innovatively with technology and online platforms to engage with all residents and businesses throughout the planning process. Developers are also encouraged to employ a variety of innovative online tools to pro-actively engage with communities.
- 4.2** Traditional forms of early engagement in planning, such as events, workshops and drop in sessions are invaluable to gain a local perspective and community input on shaping future development. However, a large number of people experience barriers to these more traditional methods due to busy lives leaving them unable or unwilling to engage at any stage in the planning process. These methods are often time consuming, intimidating, complicated and difficult to access for many, resulting in poorly attended events and under-represented portions of our community in the planning process.
- 4.3** On-line technology has the ability to overcome some of these barriers and engage with a previously unheard from audience whilst building trust in the engagement process. Using innovative on-line tools, alongside traditional methods, we can provide information in a clear manner, in a variety of formats as well as gather feedback and community input quickly with no requirement on the participant to leave home or work. On-line tools should also act as a trust-building tool enabling regular updates and feedback on how public engagement has influenced development.
- 4.4** The methods of engagement for each piece of work will depend upon the scale and stage of the planning process with a focus on early, accessible and wide-reaching engagement.
- 4.5** Planning and Place (the Council's Planning Department) has begun working with VuCity which is an accurate and accessible, interactive 3D model of the city. Its aim is to help everyone involved in delivering buildings make faster, more informed decisions, by demonstrating the real life impacts of buildings on their surrounding environments. We are now looking at how this could be used to help the public understand the potential impacts and benefits of large-scale development on their local area.
- 4.6** In developing the work on the borough's largest strategic site Kensal Canalside Opportunity Area (KCOA), an online platform, Built ID has been used alongside the more traditional forms of engagement. The results are already very encouraging. A mobile device compatible project specific website has been set up. The site provides residents and businesses with a one-stop-shop for all matters to do with the KCOA project. The website offers visitors project updates, news and media, influenced decisions, project timeline and interactive polls in a visual and clear manner. Built ID advertise the site on social media such as Facebook and Instagram and is specifically designed to be clear, engaging and quick to use. The project to date has received over 1000 unique users answering over 9000 questions with the under 28 year olds being the largest responding group for each poll.

# Part 2:

# Statement of Community Involvement

## 5. Planning policy

- 5.1** Planning policies set out the long-term framework for development in the borough. They form the basis for determining planning applications. This procedure note sets out the various planning policy documents we produce and the opportunities to get involved in their production.
- 5.2** The Council produces a Local Development Scheme (LDS) which sets out the programme for preparing planning documents. It is regularly updated so people can be aware of forthcoming opportunities to participate in the preparation of planning policy documents.

### Local Plan

- 5.3** The Local Plan is the Council's overarching planning policy document. The Local Plan sets out the strategic priorities for development of our borough and covers housing, commercial, public and private development, including transport infrastructure, along with protection for the local environment. It provides clear guidance on what development will and won't be permitted in the borough. At one end of the scale the Local Plan provides, for example, the policy framework against which we will assess a strategically important housing site. What new roads will be needed? What new schools or medical uses must be provided? How many of the homes must be truly affordable? At the other end, it includes the detailed policies which allow us to assess the suitability of the loss of a shop, a new basement or a small scale extension.
- 5.4** To develop the Local Plan, the Council has to have regard to statutory provisions, case law, and national and regional guidance. The Local Plan is consulted and undergoes public examination conducted by an Inspector appointed by national government. The Local Plan must progress through a number of stages until its ultimate adoption. The regulations set minimum requirements for consultation. The Council goes beyond the legislative requirements but it is important to set out what these are to begin with.

### Legislative requirements

#### Who to Consult?

- 5.5** At all stages of the process, the Council has a legal requirement to make information available to interested residents and organisations, as well as a legal duty to consult the 'specific' and 'general' consultation bodies<sup>1</sup>. The 'specific' consultation bodies are groups that have expertise and knowledge in a particular subject. General consultation bodies include recognised voluntary bodies, bodies which represent certain groups or businesses within the borough.
- 5.6** The regulations<sup>2</sup> also include a 'duty to co-operate' which places a legal duty on local authorities to engage "constructively, actively and on an ongoing basis" with relevant strategic policy makers. These policy makers include the adjoining Councils and the Mayor of London. This duty is intended to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
- 5.7** As part of meeting our duty to co-operate the Council is required to agree a number of "statements of common ground" with other strategic policy making authorities. These will

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<sup>1</sup> As set out in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

<sup>2</sup> As set out in part 33A of the [Planning and Compulsory Purchase Act 2004](#) (as amended), "Duty of cooperate in relation to planning of sustainable development."

demonstrate how we have tried to work together on strategic cross-boundary matters and to help ensure that our plans are deliverable over the plan period.

## How to Consult?

**5.8** The following will always be done by the Council:

- Consultation materials will be available at the Town Hall, on our website, and in local libraries.
- We will publish consultations and invite comments by directly emailing stakeholders on the Planning Policy database<sup>3</sup> including the ‘specific’, ‘general’ and ‘duty to co-operate’ bodies<sup>4</sup>.
- If you would like to be added to this list, please email us at [planningpolicy@rbkc.gov.uk](mailto:planningpolicy@rbkc.gov.uk)

## Over and beyond legislative requirements

**5.9** We recognise that our statutory obligations to consult will not be enough to really understand and address the issues that are important to our communities. For this reason, we will always start engaging early with the community before we begin to draft our planning policies. In these early stages we will deploy a range of consultation techniques to ensure that we hear from as wide a range of people as possible.

**5.10** Figure 5 sets out the additional early engagement and the statutory stages of consultation as prescribed in legislation. It also sets out some of the suitable consultation techniques that could be used.

**5.11** Throughout the plan making process, we will use the basic methods of making contact by email or post, placing consultation material on-line and using social media as appropriate to publicise consultation. We will also issue press releases as appropriate and make hard copy documents available in Council offices and local libraries.

**5.12** The plan-making process allows for more flexibility in the early stages with the process become more prescriptive as the plan advances. The consultation techniques that are considered suitable at the early stages are as follows:

## Preliminary consultation

**5.13** This stage will be to publicise our intention to undertake a Local Plan review and to scope out what should form part of this review. The methods used to engage with our residents and other stakeholders, will depend on the issues being explored. This is in-line with the principle of working collaboratively with our residents and enabling policies to be co-designed. At this stage we would strongly support the use of digital technologies as these can help make engagement simpler and quicker, reaching a much wider and potentially a younger audience. For example, this could be used to undertake a quick poll of important issues.

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<sup>3</sup> We maintain a Planning Policy database which currently contains over 1,200 consultees. This includes local representative bodies who are regularly consulted, including local individuals, organisations and businesses that have indicated they wish to be actively engaged in plan-making in the Borough. As such it is a live database which is constantly evolving and updated.

<sup>4</sup> [Section 33A of the Act](#) (introduced by the Localism Act 2011) introduces a duty to cooperate as a mechanism to ensure that local planning authorities and other bodies engage with each other on issues which are likely to have a significant effect on more than one planning area.

- 5.14** The Council also monitors the effectiveness of existing policies. We report on this annually<sup>5</sup>. Gaps in policies, or policies not working as intended, can also be identified in this way and can form the basis for starting the review.
- 5.15** This will be the stage where the Council will start the background scoping work and commission technical evidence on the various topics to be covered in the Local Plan. National policy requires proportionate evidence to support policy changes and new requirements on developments. This evidence comes from engagement but also technical evidence such as an assessment of need, financial viability or impact on living conditions of our residents.

## Issues and options

- 5.16** Once we have identified the issues, the Council will work up reasonable options that can form the basis for draft planning policies. Such options are devised from feedback received at preliminary consultation stage as well as from technical evidence.
- 5.17** Councils are required to assess the economic, environmental and social impact that policies in the Local Plan may have through a Sustainability Assessment/ Strategic Environmental Assessment (SA/SEA). We also consider the health and equality impacts, and can do so within a wider Integrated Impact Assessment (IIA). The first step of the IIA is to carry out a “scoping exercise” or to decide on what issues should be considered. We carry out this scoping exercise at this issues and options stage of the plan.
- 5.18** At this stage once again we will make appropriate use of social media and other digital technologies as well as more traditional methods to publicise consultation (see Figure 4).

## Statutory Consultation Stages

- 5.19** There are a number of stages in the evolution of a plan before it can be adopted. These include the publication of a draft of a plan “Regulation 18” and then the publication of what is called the “submission” or “Regulation 19” version of the plan. Each stage will be subject to different legal requirements and involve the public in different ways.
- 5.20** The draft policies stage (Regulation 18) is likely to be that with the widest engagement. This is a stage where we first set out what the Council thinks may be the future policies. This is the chance for the public to tell us what we may have got right, or got wrong. At this draft policies stage we can supplement the written consultations with a number of meetings and workshops and with face to face opportunities to explore the issues in real depth.
- 5.21** The consultation on the Regulation 19, publication stage is less broad. At this stage we have a suite of policies which we will be submitting to the Secretary of State for examination. We will be seeking comments – but only on the “soundness” of these policies<sup>6</sup>. A government Inspector will be appointed to examine the Plan. It is he/she who will invite interested parties to the hearing. If, as a result of the evidence heard at the examination, he/she decides that the document needs significant amendment, there may be further formal consultation.
- 5.22** The various stages of the progression of a Local Plan are set out in figure 5. We will follow Planning Regulations for the statutory stages of consultation.

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<sup>5</sup> [Authority’s monitoring report](#)

<sup>6</sup> Tests of soundness Plans are considered to be sound if they are “positively prepared”, “justified”, “effective” and “consistent with national policy.” These test of soundness are set out within the Government’s [National Planning Policy Framework](#).

|   | Stage of Preparation                              | What is it?   | Potential Consultation Techniques   |
|---|---|---|---|
| 1 | Pre-engagement                                    | Scope policy review, early engagement to identify issues and evidence gathering           |  Traditional written methods (website, letters, email, local press)<br> Social Media (Facebook, Twitter, Instagram, Nextdoor)   |
| 2 | Issues and Options                                | Engagement on issues and options for the Local Plan                                       |  Traditional written methods (website, letters, email, local press)<br><br> Social Media (Facebook, Twitter, Instagram, Nextdoor)<br><br> Face-to-Face (Public meetings, workshops and Citizens' Panels) |
| 3 | Draft policies (Reg 18)                           | Engagement on draft policies  |  Open access (Public Exhibitions, open days, drop in sessions, leaflets and canvassing)<br><br> Site visits   |
| 4 | Soundness of policies (publication) (Reg 19 & 20) | Consultation on the "soundness"* of planning policies to submit to the Secretary of State |  Traditional written methods (website, letters, email, local press)<br><br> Social Media (Facebook, Twitter, Instagram, Nextdoor)   |
| 5 | Submission of policies for examination (Reg 22)   | Notify anyone who requested to be notified of the submission                              |   |
| 6 | Local Plan examination (Reg 24)                   | Inspector invites participants to hearings  |   |
| 7 | Consultation on modifications                     | Consultation on modifications if required by the Inspector                                |   |
| 8 | Inspector's report published (Reg 25)             | Give notice to those who requested to be notified   |   |
| 9 | Adoption (Reg 26)                                 | At full Council meeting. People can register to speak                                     |   |

**Figure 5: Stages of the Local Plan** \*Soundness is a technical term defined in national policy within the National Planning Policy Framework 2019 Paragraph 35.

## Supplementary Planning Documents (SPDs)

**5.23** Supplementary Planning Documents (SPDs) build upon and provide more detailed advice or guidance on development plan policies. We have two types of SPDs: those which relate to the development of a particular site or area, and those which relate to a borough-wide issue. SPDs are not subject to an independent examination and do not form part of our development plan. They cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making.

**5.24** An example of the latter would be the Basements SPD, the document which sets out how we expect our basements policy to be interpreted. It explains, for example, how large a basement can be, or what information needs to be submitted to satisfy us that the construction impact of building a basement is acceptable.

**5.25** The site specific SPD usually takes the form of a development brief. They can be modest in scale, for example that produced to set out how the Council expected the Silchester Garages site to be redeveloped. They can also cover much larger areas, with the future brief for the Kensal Canalside Opportunity Area (KCOA) setting out a vision and a template for an area which is expected to provide the majority of new homes needed within the borough during the Plan period.

### Legislative requirements

#### Who to Consult?

**5.26** Regulations specify that consultation must take place with narrowly defined “statutory consultees”. We will go beyond this narrow requirement and consult with everyone on our Planning Policy database.

**5.27** The Council has to decide whether it must produce a Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) to formally assess the environmental implications of a SPD. This is known as “screening”. We will consult the named “statutory bodies<sup>7</sup>” on our (SA/SEA) screening statement and will undertake a full SA/SEA if required.

#### How to Consult?

**5.28** We will publish a draft of the SPD and then ask for comments on it. The process is the same when reviewing an existing SPD or producing a new one. The following minimum requirements will always be met:

- We will make consultation materials available at the Town Hall, on our website, and in local libraries.
- We will publicise the consultation and invite comments through a direct mailout to stakeholders on the Planning Policy database. We will do a press release where appropriate.

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<sup>7</sup> The “statutory bodies” for SEA/SA are Historic England, Natural England and the Environment Agency.

## Over and beyond legislative requirements

**5.29** As mentioned previously, early engagement is integral for the formulation of planning policies. Some SPDs will generate a higher degree of interest than others. At the preparation stage of those SPDs which are likely to generate more interest we will arrange events such as focused group meetings and drop-in sessions. These will allow us to better understand the views of local communities. In addition, there will be circumstances where area specific SPD walkabouts with the local community would be particularly useful at this early stage. These will be run as and when necessary. Social media, may also be very useful to capture a wider audience beyond the Planning Policy database.

**5.30** Once we have undertaken this early engagement we would produce a Draft SPD which will be subject to a six-week consultation. Further meetings or drop-in sessions may be appropriate at this stage to discuss the draft document.

**5.31** The Council will then consider the comments received before amending (and adopting) the SPD. Sometimes we will run two rounds of consultation on the draft document if further work needs to be done. The final version will then be adopted by the Council.

|          | Stage of Preparation                           | What is it?                                    | Potential Consultation Techniques   |
|----------|--|--|---|
| <b>1</b> | Preliminary consultation (where appropriate)   | Identify the issues to be addressed in the SPD |  Traditional written methods (website, letters, email, local press)<br> Social Media (Facebook, Twitter, Instagram, Nextdoor)<br> Face-to-Face (Public meetings, workshops and Citizens' Panels)<br> Site visits   |
| <b>2</b> | <b>Draft SPD</b> (Regulation 12/13)            | Consult on a draft SPD                         |  Traditional written methods (website, letters, email, local press)<br> Social Media (Facebook, Twitter, Instagram, Nextdoor)<br> Face-to-Face (Public meetings, workshops and Citizens' Panels)<br> Open access (Public Exhibitions, open days, drop in sessions, leaflets, and canvassing)<br> Site visits |
| <b>3</b> | <b>Second draft consultation</b> (if required) | Consult on the second draft SPD (if required)  |  Traditional written methods (website, letters, email, local press)<br> Social Media (Facebook, Twitter, Instagram, Nextdoor)   |
| <b>4</b> | <b>Adopt SPD</b> (Regulation 14)               |  |  Traditional written methods (website, letters, email, local press)<br> Social Media (Facebook, Twitter, Instagram, Nextdoor)   |

**Figure 6: Stages of Supplementary Planning Documents (SPD)**

## Neighbourhood Plans

**5.32** Neighbourhood Plans were introduced in the Localism Act 2011. They are an important and powerful tool that gives communities the statutory power to shape how their areas develop. They have real legal force as they will contain the policies that will be used alongside those within the Council's own Local Plan and applied where relevant in deciding planning applications. The policies within the Neighbourhood Plan will take precedence over those within Local Plan where there is any conflict.

**5.33** Neighbourhood Plans are prepared by local people or local businesses and not by the Council. As such it will be for the Neighbourhood Forum, (the group set up to draft the Neighbourhood Plan) to decide how they wish to involve local people and businesses in the drafting of their Plan.

**5.34** The process for preparing a Neighbourhood Plan goes through four main stages:

- Set up
- Preparing the plan
- Examination and
- Referendum

**5.35** This process is shown on Figure 7. This diagram also highlights the opportunities that the public have to become involved with, and to comment upon, the Neighbourhood Plan. Further guidance is available on:

- [the Council's website](#);
- [the MHCLG's own website](#); and
- [the Locality website](#). This also includes guidance of what grant and technical support may be available to a forum.

**5.36** You can also contact an officer at [planningpolicy@rbkc.gov.uk](mailto:planningpolicy@rbkc.gov.uk) if you want any advice or to discuss any aspects of neighbourhood planning further.

## Legislative requirements

### The Council's duty to support

**5.37** The Council has a duty to support those who are producing a Neighbourhood Plan in their area<sup>8</sup> and we will do what we can to help a community bring forward a Neighbourhood Plan. Whilst we cannot help draft the plan, or finance the production, we will offer as much support and guidance as we can to help those involved through the process. Some of this support is set out in the regulations<sup>9</sup>. This includes:

- Checking and then publicising the initial application to set up the Neighbourhood Forum and the Neighbourhood area;
- Publicising the draft Neighbourhood Plan to give stakeholders the opportunity to tell an independent inspector whether they support the plan;

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<sup>8</sup>A requirement under Section 6 of the [Neighbourhood Planning Act 2017](#)

<sup>9</sup>[The Neighbourhood Planning \(General\) Regulations 2012](#)

- Appoint the inspector and organise the examination into the Plan; and where appropriate,
- Organise, run and pay for the referendum where those who live or work in the area can decide whether the Plan should become part of the Development Plan for the area.

### **The Neighbourhood Forum's obligations to consult**

**5.38** Given its importance, a Neighbourhood Plan has to go through a rigorous process before it can be adopted and used. So just as the Council is required to consult widely when preparing its plan, the same is true of a Neighbourhood Plan. This is essential if it is to reflect the views of the whole community. However, it is the Neighbourhood Forum, rather than the Council, who will design and manage the consultation.

**5.39** The nature of the consultation will depend on the stage of Neighbourhood Plan's progression.<sup>10</sup>

**5.40** *Setup:* In order to prepare a Neighbourhood Plan, local people first need to set up a Neighbourhood Forum and to propose the boundaries of a Neighbourhood Area. The Council would encourage the Forum to consult those living and working within the proposed neighbourhood area on both, the appropriateness of the forum and the nature and the extent of the proposed area.<sup>11</sup>

**5.41** *Preparation:* Whilst, there is no requirement in the regulations for the Forum to involve local people in the preparation of the plan, it is strongly advisable. It is only by wider public involvement will the forum be able to demonstrate that the Plan reflects the views and ambitions of the local community. It is possible that the plan will not be approved by the examiner unless public involvement can be demonstrated.

**5.42** *Submission and examination:* Before the plan is finalised, the Forum must make a draft available for local people to comment on. It is for the Forum to decide how best to do this and to decide what questions they wish to ask. The Forum will need to be able to demonstrate how it has taken any comments into account when the Plan is examined and an Inspector considers whether it meets the "basic conditions".<sup>12</sup>

### **Over and beyond legislative requirements**

**5.43** We recognise that the setting up of a Neighbourhood Forum and Area and the drafting of a Neighbourhood Plan is a technical process. It has to follow a set of defined regulations and this can be daunting to the uninitiated. We are here to help guide prospective groups through the process, guidance which is over and above that narrowly described in the regulations.

**5.44** This guidance can be categorised as:

- Offering support
- Providing technical advice
- Offering planning advice
- Providing information to help in the preparation of the plan

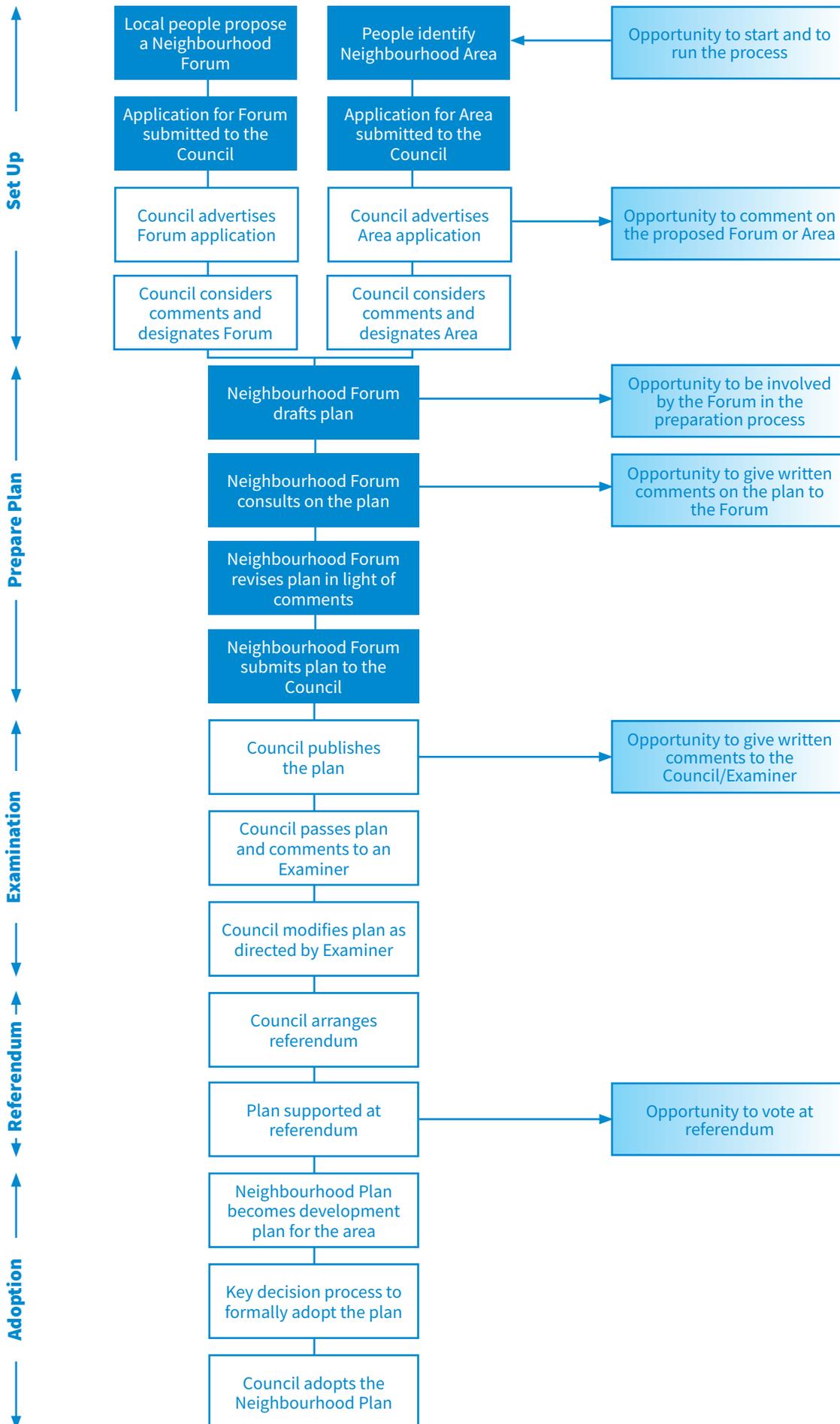
**5.45** These are set out in more detail in figure 8.

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<sup>10</sup>ibid

<sup>11</sup>Further information is available in the [Neighbourhood Planning webpages](#) of the Council's website.

<sup>12</sup>[Paragraph 8\(2\) of Schedule 4B](#) of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Compulsory Purchase Act 2004.



**Figure 7: The Neighbourhood Planning process**



**Figure 8: Neighbourhood Planning: Council assistance**

## Other Policy documents

### Community Infrastructure Levy (CIL) Charging Schedule

- 5.46** The Community Infrastructure Levy (CIL) Regulations allows local authorities to set charges which developers must pay when bringing forward new development in their area. The money is to be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure needed as a result of development. This may include schools, transport schemes, health facilities, open space and sports facilities. The Council has an adopted CIL charging schedule which sets out the charges for different types of development and has been collecting Borough CIL (BCIL) from liable development since the charging schedule came into effect in April 2015.
- 5.47** The process for producing a CIL charging schedule is set out in legislation. The setting of charges is based on technical evidence of viability; therefore, the consultation tends to be more formal.

### Neighbourhood CIL (NCIL)

- 5.48** Most of the money raised through the CIL will be spent by the Council to provide the new facilities/ infrastructure needed as a result of the development. These priorities will normally be decided by the Council having regard to our Infrastructure Delivery Plan and the Council priorities as set out in the Council Plan. This money should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development.
- 5.49** However, we must allocate at least 15 per cent of all levy receipts to spend on priorities that are agreed with the local community. This figure increases to 25 per cent for those areas which benefit from an adopted neighbourhood plan. Currently there are just two Neighbourhood Plans (the St Quintin and Woodland NP and the Norland NP), although the Council will support new Neighbourhood Plans, should these come forward. A Neighbourhood Plan can be helpful where it sets out what the Neighbourhood Forum sees as the key infrastructure requirements for their area. The St Quintin and Woodland NP does so.
- 5.50** Where a Neighbourhood Plan is not in place, or cannot be used to inform local spending priorities, the Council will engage with communities on how best to spend NCIL using a range of consultation techniques set out in figure 4. The example of using Built-id for KCOA (see paragraph 4.7) could be replicated in consulting on NCIL spend. This can enable communities to quickly and easily participate in polls on likely projects within their area.

### Article 4 Directions

- 5.51** Whilst development normally requires planning permission, planning regulations set out the types of development where this development is “permitted”, or where planning permission is not required.<sup>13</sup>
- 5.52** Permitted development can relate to changes of use, such as changes of use of offices to homes. It can also relate to building works, for example a rear, roof or basement extension to a house.
- 5.53** An Article 4 direction is a mechanism by which a Council can remove these permitted development rights. They allow us to control what does and does not need planning permission.<sup>13</sup>

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<sup>13</sup> [The General Permitted Development Order \(2015\)](#) as amended, sets out the extent of permitted development rights.

- 5.54** An Article 4 direction is a mechanism by which a Council can remove these permitted development rights. They allow us to control what does and does not need planning permission<sup>14</sup>.
- 5.55** The Council cannot make an Article 4 direction lightly, as any direction must meet the necessary legal test and be necessary to allow for the “proper planning for the area.”
- 5.56** Residents and other stakeholders will be consulted once the Council has made, or initiated, the Article 4 Direction. Any comments received will be considered before we decide whether it is appropriate to confirm the direction. Results of the consultation will be set out in before adoption.

### **Conservation Area Appraisals**

- 5.57** A Conservation Area Appraisal describes the special character and appearance of a conservation area and its historic and architectural significance. As such, it is a document which not only informs but which can also help shape planning decisions within the area.
- 5.58** When preparing a new or revised Conservation Area Appraisal, the Council will take preliminary soundings of local residents and residents' associations and conservation societies and local Councillors, and will usually organise walkabouts, which are a good way to involve those interested in architecture and conservation. The Council will then prepare a preliminary draft on which they will consult for a six-week period. Comments received will be considered in drafting the version of the document for adoption and only if significant changes are proposed there will be a limited second round of consultation.

### **Conservation Area Management Plans (CAMP)**

- 5.59** Most conservation areas in the borough now have character appraisals. These documents define the special interest that has led to designation, and explains the contribution made by the different features of their character and appearance, as well as identifying threats and opportunities. A Conservation Area Management Plan for each will build on and respond to the appraisal and will inform future development to ensure that it is specific to the needs of, and conserves the special qualities of the conservation area.
- 5.60** Planning legislation requires that the proposals for the preservation and enhancement of a conservation area set out in a management plan are submitted for consideration to a public meeting in the area to which they relate. Such meetings might include owners, residents' groups, amenity groups, businesses and community organisations. The Council recognises the advantages of public consultation in gaining support and momentum for the CAMPs, thereby improving their effectiveness.

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<sup>14</sup> [The current Article 4 Directions](#) can be viewed on the Council's website.

## 6. Planning advice

- 6.1** Planning applications are made by a range of individuals and organisations including homeowners, businesses, developers and others. Before making planning applications many potential applicants wish to get advice from the Council about how they can bring forward an application that best tallies with local planning policies and local communities' wishes.
- 6.2** We provide advice because:
- It gives the Council an opportunity to discuss with potential applicants how they might better reflect what the Council and community want to see and achieve;
  - It reduces the likelihood that applications contrary to local planning policies and our communities' wishes are brought forward, which cost the Council, applicants, residents and businesses time and money;
  - It reduces the likelihood that applications will be refused, with the associated risk that developments not supported locally might be granted on appeal; and
  - It is good customer service to positively engage with those looking to invest in the borough as they are given more certainty around what might be acceptable. Having certainty around what is and is not likely to be acceptable is more likely to guide good growth in the borough.
- 6.3** We cannot require potential applicants to discuss their proposals with residents, business and others who may be affected. However, we will strongly encourage engagement at every stage of the planning process.
- 6.4** We recognise the importance of early community engagement and how much of a key role it can have in informing development and the benefits it can bring to a neighbourhood. Some potential applicants are good at engaging with communities, seeing it as an opportunity to make their scheme better and build long lasting relationships but many are not good at this. We know more can and needs to be done.

### What do we expect from potential applicants?

- 6.5** We will be developing a new planning advice service in early 2020 and as part of this, we will discuss options with residents and other stakeholders before preparing a new procedure note setting out the details of the new service.
- 6.6** Early community engagement is important for all developments although it is important to make sure the level of engagement is proportionate to the proposed scheme.

### Large scale proposals

- 6.7** For large scale proposals, it is especially important to undertake early consultation on a wider scale, particularly for proposals which are likely to have a significant impact on the environment or on the local community and generate a high level of significant local interest.
- 6.8** We want to use online engagement on large scale or potentially controversial proposals, so that we – and developers – hear from as wide a range of voices as early as possible, in order to bring forward applications that have the best possible chance of gaining local support.

- 6.9** We will introduce development forums as part of a new pre-application advice service (see paragraph 6.4) which will allow residents, businesses, Councillors and other stakeholders to collectively discuss proposed developments with applicants and the Council's Planning department. In order to be effective development forums will be convened at the earliest opportunity.
- 6.10** It is anticipated that this would not be a replacement for any separate consultation that potential applicants would like to arrange. It will also not replace the Council's formal consultation process on applications.
- 6.11** For large-scale proposals, we will expect the potential applicants to agree the extent and type of consultation with us to make sure that the consultation process is appropriate.
- 6.12** Alongside residents' forums, we will also be encouraging the use of exhibitions and other public events as well as the inclusion of more digital online methods of consultation such as apps and social media platforms.
- 6.13** Figure 9 illustrates the various stakeholders inputs that will feed into large-scale proposals.



**Figure 9: Stakeholder involvement for large scale and complex proposals**

## Other proposals

- 6.14** For other types of development, potential applicants will be expected to engage with the community, the scale of which will be proportionate to the proposed works. For example, for extensions and alterations to houses, it would be expected that those living adjacent or very close to the site would be consulted at an early stage. The type of engagement expected for smaller scale proposals will include, but not be limited to, written notice of the proposals, offering a meeting with the neighbours and allowing the opportunity for comments to be made at an early stage of the process.
- 6.15** As there is a strong expectation that pre-application discussion should be undertaken, for example if you are proposing an extension to your property, your proposals should be discussed with your immediate neighbours and any comments taken account of in the design of the final scheme. To this end, applicants should prepare a report summarising the type of consultation carried out, the key issues raised and how the scheme addresses these issues. This report should be submitted with any subsequent planning application. The report will assist in determining the planning application and it is in the applicant's interest to submit such a report as it may deal with points of concern.

## Planning performance agreements

- 6.16** We strongly encourage a collaborative approach to important developments using Planning Performance Agreements (PPAs). These are generally used for large scale developments but can also be used for smaller scale schemes depending on the detail of it. They encourage joint working between the applicant and the Council and can help bring together other parties such as statutory consultees and local residents. They are also useful in setting out an efficient and transparent process for determining applications. All PPA's would include a community engagement strategy, the detail of which would be proportionate to the development to which it relates.

## How we will help the community inform and shape proposals in their area

- 6.17** We will be developing the Planning web pages to provide more information on how the community can engage, inform and help shape development in their area. We will be providing detailed information on the planning advice service including a dedicated web page for large-scale proposals, which may be coming forward. We will also be providing more information on the planning application process, what might constitute a material planning consideration and better links to information that is already on our website but not easy to find or digest.

# 7. Planning applications

## The planning application process

**7.1** The Council considered over 6000 applications under the Planning Acts in 2018/19. This included applications for development proposals, changes of use, works to listed buildings and advertisement.

## How we will involve the community in planning applications

**7.2** The planning application process is shown in figure 10.

## Who makes decisions on planning applications?

**7.3** This Council makes decisions on applications, taking into account the development plan and other relevant material considerations. There are **two** ways in which applications can be determined:

- 1. By officers under delegated powers; or,**
- 2. By members of the planning committees.**

**7.4** Most smaller-scale proposals where less than three relevant planning objections have been received, and most refusals of permission, can be decided by powers delegated by the Council to the Director of Planning and Place.

**7.5** The consultation arrangements and application of planning policy is the same whichever route is chosen.

## How we will let you know about planning applications

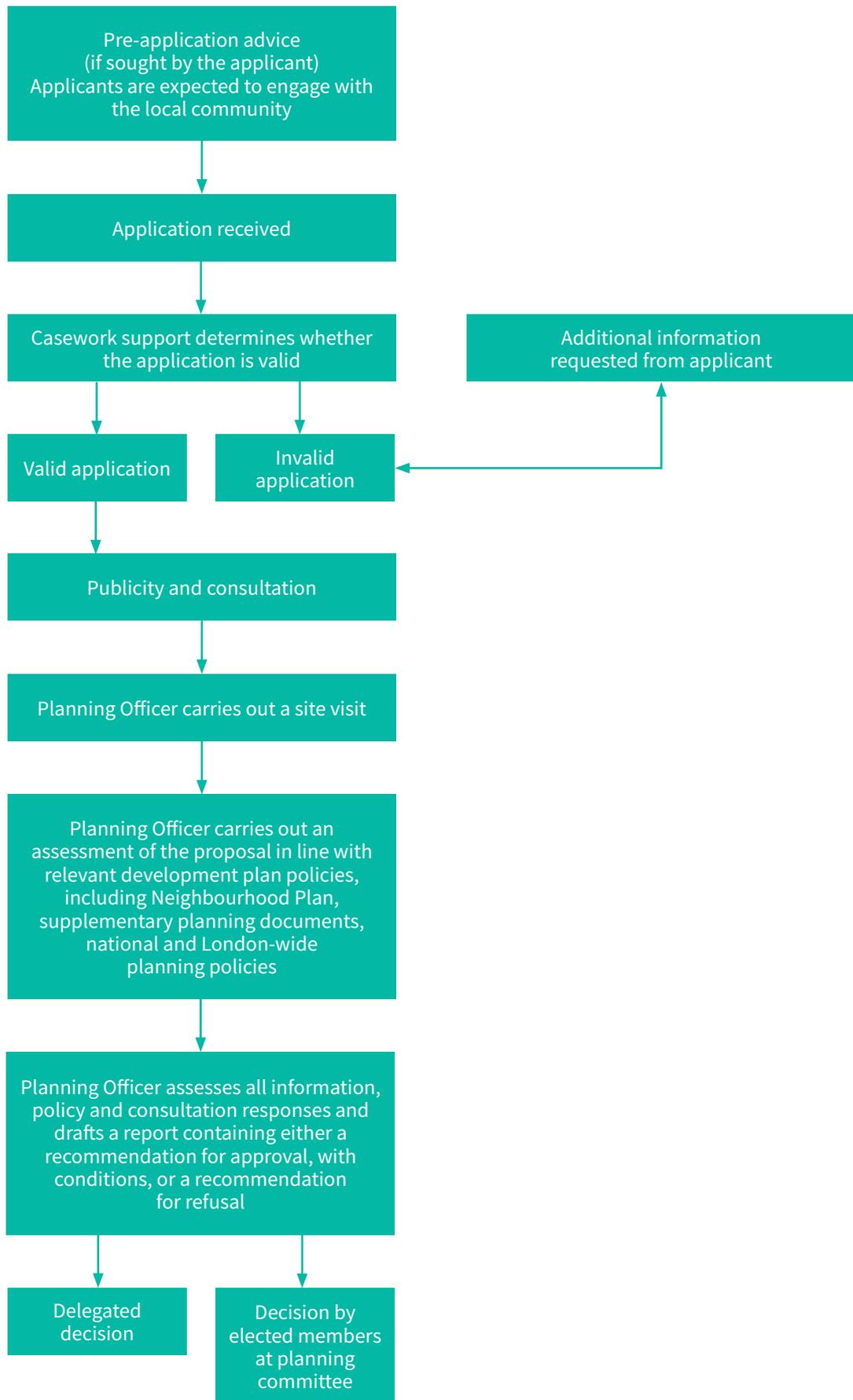
**7.6** We are required to publicise most planning applications. This gives people the opportunity to express their views on the proposals. Minimum requirements for how people are notified of planning applications are set down in legislation and explained in the 'Notification methods for planning applications' table on page 31.

**7.7** The statutory requirement for publicising planning application is only for either.

- **A site notice;** or
- **A letter**

**7.8** When the Council receives a valid planning application we will notify all the neighbouring properties that directly adjoin the application site.

**7.9** Kensington and Chelsea is a beautiful and historic part of London and the Royal Borough is an area of enormous architectural significance and interest. Over 70 per cent of the borough is protected by 38 separate Conservation Areas and it has over 3,800 listed buildings.



**Figure 10: The Planning Application process**

**7.10** Applications in or near to conservation areas and those that affect listed buildings have to be publicised in the local press and by displaying a site notice at or near the application site. This is a statutory obligation.

**7.11** This means that for these applications the Council will:

- **Notify all neighbours that directly adjoin the site;**
- **Display a site notice in a public place at or near the application site; and**
- **Place a press notice in a local newspaper (the Ealing Gazette).**

**7.12** We will use the following methods to notify the community about planning applications:

| Notification method         | Statutory? | Comment   |
|-----------------------------|------------|---|
| Website email alerts        | No         | You can subscribe to receive email alerts about new planning applications in your area if you register for a <b>MyRBKC</b> account. Alerts can be set up by street, ward, postcode or conservation area.  |
| Site notices                | Yes*       | <p>Notices are displayed in a public place at or near the application site. They contain:</p> <ul style="list-style-type: none"> <li>• the application reference, site address and applicant details;</li> <li>• details of the proposal;</li> <li>• the reason for the notice;</li> <li>• where plans can be viewed; and,</li> <li>• how you can comment on the application.</li> </ul> <p>One or more notices may be displayed depending on the size and location of the proposed development. The notice is usually displayed for 21 days. However, this may be extended for more contentious and major applications.</p> <p>The Council will consider the future use of Q codes and/ or a visual of the development on the notice(s) in order to improve accessibility to planning application proposals.</p> |
| Letter                      | Yes*       | We will notify all the neighbouring properties that directly adjoin the application site for minor applications. For major applications, we will notify properties within a larger radius depending on the proposal.  |
| Website                     | Yes        | The Council's website contains details of all applications including copies of all associated documents and drawings. You can search by a number of criteria, track the progress of applications and submit comments online.  |
| Weekly list of applications | No         | A copy of the list of applications we have received in a particular week is published on the website.   |
| Press notice                | Yes*       | <p>A notice is placed every week in a local newspaper for the following types of applications:</p> <ul style="list-style-type: none"> <li>• major applications;</li> <li>• listed building consent;</li> <li>• developments affecting the character or appearance of a conservation area;</li> <li>• applications accompanied by an Environmental Impact Assessment (EIA); and,</li> <li>• departures from the development plan</li> </ul>  |

\*The statutory requirement for planning applications is only for either a site notice or letter. Applications in or near to conservation areas and those that affect listed buildings have to be publicised in the local press and by displaying a site notice at or near the application site.

**7.13** There is no statutory requirement to consult on the following types of applications. However, if you sign up to [MyRBKC](#) you can choose to be notified of these applications:

- certificates of lawfulness of proposed use or development;
- certificates of lawfulness of existing use or development;
- internal alterations only to a Grade II listed building;
- advertisements;
- approval of details; and,
- non-material amendments (NMAs).

## Consultation for planning applications

**7.14** As set out above, when the Council receives a valid planning application, we will notify all the neighbouring properties that directly adjoin the application site. In addition, the standards and methods for the consultation of different types of planning applications are set out below.

| Type of development  | Site notice | Press advert                              |
|--|-------------|---|
| Applications for major developments  | Yes         | Yes                                       |
| Planning applications involving extensions and alterations which affect the character of a conservation area | Yes         | Yes                                       |
| Listed Building Consent applications for external works  | Yes         | Yes                                       |
| Planning applications for variation or removal of conditions attached to a previous approval                 | Yes         | Yes                                       |
| Planning applications outside of a conservation area   | Yes         | No  |
| Telecommunications prior approval  | Yes         | Yes                                       |
| Application covered by an Environmental Statement  | Yes         | Yes                                       |
| Application which is a Departure from the Development Plan   | Yes         | Yes                                       |
| Retrospective planning applications  | Yes         | Yes if the site is in a conservation area |

**Figure 12: Consultation for Planning Applications**

## Who we will consult on planning applications

**7.15** In determining who we will consult on planning applications, there is a clear distinction between statutory and non-statutory consultees<sup>15</sup>. Regulations about statutory consultation set out what bodies constitute a statutory consultee required as part of a planning application. [The Planning Practice Guidance](#) provides details of this.

**7.16** There is no statutory requirement to consult local civic and amenity societies or residents' associations. However, we recognise that they are an important part of the planning application process. In order that these groups are made aware of planning applications, we will promote the use of [MyRBKC](#) in order to receive alerts of planning applications and will encourage applicants to contact local groups in advance of the submission of a planning application.

## Consultation by applicants

**7.17** We strongly recommend that applicants seek pre application advice from us prior to making a planning application. It means that applicants:

- avoid costly mistakes and save time;
- understand our policies and specialist areas that apply to the development;
- identify potential problems early on and find solutions; and,
- get advice above how to improve a scheme.

**7.18** Applicants are expected to engage with the local community as part of the pre-application process. This provides an important opportunity for neighbours and local communities to raise any issues directly with the applicant and influence the proposals at an early stage, taking any comments received on board. Further information on the pre-application process can be found in the pre-application section.

**7.19** Where pre-application consultation is undertaken, applicants should prepare a report summarising the type of consultation carried out, the key issues raised and how the scheme addresses these issues. This report should be submitted with any subsequent planning application.

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<sup>15</sup> The “statutory bodies” for SEA/SA are Historic England, Natural England and the Environment Agency.

# 8. Implementation

## Planning Enforcement

- 8.1** Planning is central to managing development to ensure a high quality environment and facilitating a better pattern of land use. An effective planning enforcement service is an important means of achieving these goals and maintaining the integrity of the planning system. It is essential if our stakeholders are to have confidence in our Local Plan.
- 8.2** The Council published its **Local Enforcement Plan** in May 2018. This explains how we will investigate alleged cases of unauthorised development, the basis on which our decisions are made, and our approach to pro-active monitoring.
- 8.3** The majority of the Council's planning enforcement investigations are opened following information given to us by our residents. The best way to report a breach is by filling out a form on our **website**. We do not accept anonymous allegations, but will ensure that the identity of any complainant will be safeguarded.
- 8.4** We will update complainants of the progress of all enforcement investigations within 5 weeks, and at key stages of the process, such as the service of an enforcement notice or the receipt of an appeal.
- 8.5** We will tell complainants when and why each enforcement investigation is closed.

## Mitigating Construction Impacts

- 8.6** In April 2019 the Council adopted a revised **Code of Construction Practice**. This Code is intended to ensure that the negative effects of construction are managed so they do not cause unnecessary disturbance to the borough's residents and businesses.
- 8.7** Those implementing any larger development have to sign up to the code and agree to take a wide range of measures to reduce the potential impact of their project on their neighbours. In addition, developers have to pay a bond to the Council. This bond will address the charges incurred by the Council's Construction Management team in monitoring the compliance with the code.
- 8.8** Effective neighbour liaison by a developer/contractor and a good communication strategy is an integral part of the code. It is a key factor in ensuring that the effect of any construction activity on the occupiers of neighbouring premises is minimised. The Code of Construction Practice sets out the how the Council would expect developers to engage with their neighbours. This includes before the application is submitted, before the works begin and how contractors respond to complaints.

## Planning Contributions (S106)

- 8.9** Planning obligations are legal obligations that are entered into by a developer and the local planning authority in order to mitigate the impacts of a development proposal. A planning obligation is commonly referred to as a s106 agreement.
- 8.10** The planning regulations are clear, in that a s106 planning obligation cannot be an arbitrary “want”. It can only be used if it is necessary to make the development acceptable in planning terms.
- 8.11** S106 agreements will not include those things being provided through CIL. So for example, a s106 agreement will not include the payments needed to address the pressure that a development puts upon education and health facilities, the public realm or air quality. In this borough some of the typical contributions delivered through s106 agreements relate to the affordable housing, public art and street/ road improvements.
- 8.12** The nature and level of s106 payments are based on evidence based formula set out within the Council’s own Planning Obligations SPD. As such, the nature or level of s106 contributions is not something to be determined on a case by case basis, in consultation with our residents. Review will occur on a periodic basis to reflect changing regulations and changes to the Council’s priorities.
- 8.13** How we will try to involve the public in the drafting of SPDs is set out in section 5 above.

# 9. Monitoring and evaluation

## Community Feedback

- 9.1** The Council recognises that it must remain agile if it is to better serve the needs of our residents and our other stakeholders. The views of our residents are central to the plan-making process, to the neighbourhood planning process and in the managing of planning applications. However, the Council also recognises that less formal community feedback plays an important role. We rely on conversations with our residents’ associations, with amenity groups and with individuals within the wider community to help shape the direction that planning and the planning process will evolve.

## Authority's Monitoring Report (AMR)

- 9.2** The Council publishes a **Monitoring Report** every year in which it:
- sets out the progress that is being made with regard to the preparation of all its planning policy documents;
  - reports on the progress that is being made in achieving a number of the Local Plan’s key strategic objectives;
  - reports on the level and nature of CIL and s106 contributions; and
  - assesses planning and enforcement performance.
- 9.3** The AMR allows the Council to take stock as to what is going well or what needs further work and helps inform the nature of future planning policies or the way these policies should be interpreted and implemented.

# 10. Review and scoping

## Evidence gathering

- 10.1** We are constantly learning about issues regarding all aspects of planning through direct contact with our residents. We have one-to-one contact with our residents through phone and email on a daily basis. This could be simply a resident calling us to get advice on a potential planning application or to ask if they need planning permission. We also get phone calls or emails from neighbours, residents' associations when there is a planning application or ongoing construction in their areas. Many emerging issues are brought to our attention through these means.
- 10.2** Planning appeals are another indicator where we learn that our planning policies are effective or if they need more clarification or revision. We monitor such appeals.
- 10.3** We also respond to Government consultations where these will indicate the direction of travel for national policy. We encourage our residents to respond to those consultations directly when appropriate.
- 10.4** All the above is a constant loop of learning, evaluation and evidence gathering which we use to improve the planning service. In addition, when developing planning policies we often commission technical evidence as set out in section 5 above.

## Agents' forum

- 10.5** Agents' Forums are held three times a year to hear what planning professionals have to say about the Planning and Place service. At these events, agents are able to raise suggestions, issues or concerns directly with planning officers. It is also an opportunity for officers to share news, changes or suggestions.

## Listening Forums

- 10.6** Listening Forums are held in a different area of the borough each month to hear what people have to say about issues that matter in their local area. At these events, people will be able to raise suggestions, issues or concerns directly with members of the Leadership Team. The Leadership Team will respond on the night, and if more information is required, will follow-up with a detailed response in writing.
- 10.7** There is a facilitator for each of the tables that will capture the questions, issues and concerns before a discussion with the Leadership Team. Venues and timings of the Listening Forum will be publicised at least 2 weeks in advance of each meeting on the website and on RBKC social media pages. Summaries of previous Listening Forums will also be available on the Council's website.

# Glossary

**Community Infrastructure Levy.** Community Infrastructure Levy (CIL) is a charge that the Council collects from new development in the borough. It is an important tool introduced by the Government to help Councils deliver the infrastructure needed to support development.

**Conservation Area.** The statutory definition of a conservation area is ‘an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’.

**Conservation Area Appraisal (CAA).** A document which aims to describe the special historic and architectural character of an area.

**Conservation Area Management Plans (CAMP).** These plans build on and respond to the Conservation Area Appraisal and inform future development to ensure that it is specific to the needs of, and conserves the special qualities of the conservation area.

**Development Plan.** The Borough’s Development Plan is the document which contains the planning policies which must be used to determine any planning applications within our area. In this Borough the Development Plan has three parts, our own Local Plan, the London Plan, and where relevant, the Neighbourhood Plan.

**Local Plans.** The Local Plan is the key planning document setting out the vision, objectives and planning policies to guide future development of the borough. Legislation requires that planning applications must be determined in accordance with the policies set out in the Local Plan unless material considerations indicate otherwise.

**London Plan.** This is the development strategy for Greater London prepared by the Mayor of London. It forms part of the Council’s development plan.

**National Planning Policy Framework (NPPF).** This sets out the Government’s planning policies for England and how these are expected to be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

**Neighbourhood Area.** A Neighbourhood Area is the geographical area that a Neighbourhood Plan covers. Prospective Neighbourhood Forums must apply to the Council for a Neighbourhood Area to be designated.

**Neighbourhood Forum.** Neighbourhood forums are community groups that are designated to take forward neighbourhood planning. A prospective Neighbourhood Forum must apply to the Council to be designated.

**Neighbourhood Plan.** A Neighbourhood Plan is a document drafted by the local community which contains the land use policies which will be used in the determination of planning applications within the Neighbourhood Area. Once formally examined and approved by the local community at a local referendum, it forms part of the development plan for the area. This borough has two Neighbourhood Plans, the St Quintin and Woodlands NP and the Courtfield NP.

**Planning Contributions.** These are also referred to as developer contributions and can be used to refer to either a Planning Obligation (see below) or Community Infrastructure Levy (CIL).

**Planning Obligation.** Planning obligations are legal obligations between the developer and the Council to mitigate the impacts of a development proposal. Planning obligations are also commonly referred to as ‘section 106’, ‘s106’, as well as ‘developer or planning contributions’ when considered alongside highways contributions and the Community Infrastructure Levy.

**Section 106 Agreements** (also often denoted s106). These are legally binding agreements between the Council as the local planning authority and a developer which set out the planning obligations that developer must provide and can involve financial or non-financial obligations. Their purpose is to secure measures that make development acceptable which would otherwise be unacceptable in planning terms. They can be used to specify the nature of a development, compensate for loss or damage created by a development or address a development’s impact on the local area.

**Supplementary Planning Document (SPD).** They build upon and provide more detailed advice or guidance on development plan policies. We have two types of SPDs: those which relate to the development of a particular site or area, and those which relate to a borough-wide issue. SPDs are not subject to an independent examination and they do not form part of the development plan. They cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making.



