


# Executive Decision Report

<b>Decision maker(s) at each authority and date of Cabinet meeting, Cabinet Member meeting or (in the case of individual Cabinet Member decisions) the earliest date the decision will be taken</b>		
	<b>Cabinet Member for Planning Policy, Transport and Arts</b>  Date of decision: not before 24 June 2013  Forward Plan reference: KD03996/13/P/A	  THE ROYAL BOROUGH OF <b>KENSINGTON            AND CHELSEA</b>
<b>Report title (decision subject)</b>	<b>ST QUINTIN AND WOODLANDS NEIGHBOURHOOD FORUM AND AREA DESIGNATION</b>	
<b>Reporting officer</b>	Jonathan Bore, Executive Director of Planning and Borough Development	
<b>Key decision</b>	Yes	
<b>Access to information classification</b>	Public	

## 1. EXECUTIVE SUMMARY

1.1. This report concerns the application received by the Council from St Helen's Residents' Association and Woodlands area residents:

- to be designated a Neighbourhood Forum, to be known as the St Quintin and Woodlands Neighbourhood Forum; and,

- to designate a cross-borough Neighbourhood Area mainly in the Royal Borough of Kensington and Chelsea and partly in London Borough of Hammersmith & Fulham.

The application was submitted to both planning authorities.

- 1.2. This report sets out responses to the consultation carried out by this Council in June and July 2012, and subsequent discussion with the Westway Development Trust. It also explains the requirements of the Neighbourhood Planning (General) Regulations 2012 in relation to designating Neighbourhood Forums and Neighbourhood Areas.

## **2. RECOMMENDATIONS**

- 2.1. I recommend that the Cabinet Member for Planning Policy agrees to designate the proposed St Quintin and Woodlands Neighbourhood Forum, with a constitution as set out in Appendix A and the St Quintin and Woodlands Neighbourhood Area, within the Royal Borough of Kensington and Chelsea, as shown in Appendix A.

## **3. REASONS FOR DECISION**

- 3.1. The Neighbourhood Planning (General) Regulations 2012 require that provided the Neighbourhood Area and Forum applications meet the requirements as set out in Sections 61F to 61I of the Town and Country Planning Act 1990 and Parts 2 and 3 of the Regulations (in particular Regulations 5 and 8), then the Council may designate.
- 3.2. Additionally, support for designation was received from the local community. 28 responses were received to the consultation the Council held on this application. 27 of these responses were in favour. The Westway Development Trust expresses concerns about the geographic extent of the proposed area, and a potential conflict with existing planning policy documents, but these concerns have been resolved.

## **4. BACKGROUND**

- 4.1. A group comprising members of the St Helen's Residents' Association and Woodlands Area Residents approached the Council last year with an intention to produce a Neighbourhood Development Plan
- 4.2. Before a Neighbourhood Development Plan can be prepared, a Neighbourhood Area and a Neighbourhood Forum must be designated to take this forward.
- 4.3. The proposed Neighbourhood Development Plan must be in line with the existing strategic policies in the Council's Core Strategy and the Mayor's London Plan. If adopted, it will be form part of the development plan used to determine planning applications in relation to that proposed Neighbourhood Area.

## **5. PROPOSAL AND ISSUES**

- 5.1. In April 2012 St Helen's Residents' Association and Woodlands Area Residents applied to the Council to be designated as a Neighbourhood Forum, to be known as the St Quintin and Woodlands Neighbourhood Forum.
- 5.2. They also applied to designate a Neighbourhood Area. This is a cross-borough area mainly in the Royal Borough of Kensington and Chelsea and partly in London Borough of Hammersmith & Fulham. The application was submitted to both planning authorities.
- 5.3. The Town and Country Planning Act and the Neighbourhood Planning (General) Regulations 2012 allow for the establishment of cross-borough Neighbourhood Areas. To do this the boroughs concerned have to designate the part of the areas within their borough and then one borough would normally be nominated as the lead authority to take forward the Neighbourhood Plan process. However, the response to consultation in Hammersmith & Fulham was more mixed and the council is still considering its response to the application.
- 5.4. The Neighbourhood Planning (General) Regulations 2012 stipulate that a borough must designate a forum and area as soon as is reasonably possible. Given that the application was made a year ago, St Helen's Residents' Association and Woodlands Area Residents have now requested that the neighbourhood forum and the neighbourhood area that lies within this borough are designated independently of Hammersmith & Fulham.

## **6. OPTIONS AND ANALYSIS**

- 6.1. Appendix C provides details of the Regulations relating to designating Neighbourhood Forums and Areas and indicates how these have been met by St Quintin and Woodlands.
- 6.2. The Council cannot refuse to designate a Neighbourhood Area, but it can require that changes are made to the proposed boundary.
- 6.3. Officers have considered the requirements of the Regulations and concluded there are no grounds to refuse to designate the Neighbourhood Forum.
- 6.4. The following options are available:
  - Neighbourhood Area**
  - 6.5. Agree to designate the revised Neighbourhood Area within the Royal Borough as set out in Appendix D;
  - 6.6. Designate the Neighbourhood Area, subject to further amendments to the boundary;

### **Neighbourhood Forum**

6.7. Agree to designate the Neighbourhood Forum with a constitution as set out in Appendix A.

## **7. CONSULTATION**

7.1. The applications were issued for a 6 week public consultation period from the 8 June and 20 July 2012, and the London Borough of Hammersmith & Fulham consulted on the application concurrently. The Council only dealt with representations to this borough.

7.2. 28 responses were received to this consultation. These are set out in full in Appendix B. There were 27 letters in support of the proposals; these were mainly from residents, six came from businesses or landowners in the area. In summary, comments noted:

- The opportunity for more local involvement to create policy reflecting the needs and circumstances of the area and maximises its full potential, and the opportunity to address empty commercial space and attract more businesses to the area;
- Concerns about development of the Imperial College Woodlands site and the proposed new pedestrian and cycle route, loss of the North Pole public house, lack of security and prevalence of antisocial behaviour, the threat to the quality of life of the conservation area, and the lack of facilities for workers in the area.

7.3. The Westway Development Trust wrote in support of the involvement of surrounding communities in planning of the area, but expressed concerns about the geographic extent of the proposed area, and a potential conflict with existing planning policy documents. The Trust suggested revision of the boundary of the Neighbourhood Area that would have excluded any of their landholding. Following discussions between both parties Officers concluded that there are valid reasons for including land held by the Westway Development Trust within the neighbourhood plan area, and that this would not delay the Westway SPD (subsequently adopted in December 2012), which was the Trust's main concern.

7.4. In order to prevent the Neighbourhood Area including half of the Westway Development Trust Sports Centre, St Helen's Residents' Association and Woodlands Area residents proposed the boundary of the boundary be amended slightly. The precise boundary of the Neighbourhood Area to the south will be as shown in the revised map in appendix D.

7.5. Ward Members were consulted on this key decision and asked for their views 9 May 2013. They support designation and do not have any comments to add to the report.

7.6. The draft report was circulated to Cllr Coleridge Cabinet Member for Planning Policy 16 May 2013.

7.7. The Key Decision has also been cleared by Cllr Rossi, Chairman of the Public Realm Scrutiny Committee, because it is a three star decision.

## **8. EQUALITY IMPLICATIONS**

- 8.1. There are no specific equalities issues arising from this decision. Due regard has been paid to 61F(5) of The Town and Country Planning Act 1990 and to section 149 of the Equality Act 2010

## **9. LEGAL IMPLICATIONS**

- 9.1. The Bi-Borough Director of Law has been consulted and the legal implications are set out in the body of this report.

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

- 10.1. The Group Finance Manager, Planning and Borough Development, confirms that the Royal Borough will be eligible for £5,000 funding from CLG on designation of a neighbourhood area, which will cover costs incurred to date, £5,000 when the neighbourhood plan is publicised prior to examination and a further £20,000 on holding a successful neighbourhood planning examination. This funding is intended to recognise the officer time required to provide advice and assistance to communities in taking forward their neighbourhood plans and payment for examinations and referendums.
- 10.2. In addition the Government has recently announced additional funding of up to £7,000 per neighbourhood area to support neighbourhood forums in developing their neighbourhood plans.

Jonathan Bore  
**Executive Director of Planning and Borough Development**

**Local Government Act 1972 (as amended) – Background papers used in the preparation of this report**

Appendix A – Application for designation of the St Quintin and Woodlands Neighbourhood Forum

Appendix B – Table of Consultation Responses

Appendix C - Regulations relating to designating Neighbourhood Forums and Areas

Appendix D – Revised boundary St Quintin and Woodlands Neighbourhood Area

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