

**Royal Borough of Kensington and Chelsea
Publicity for Planning Applications**

The Council publicises applications for planning permission in accordance with the following schedule and notes

Nature of proposed development	Relevant secondary legislation	Statutory publicity	Publicity carried out by RBKC
<p>Application accompanied by an EIA (Environmental Impact Assessment)</p> <p>Departure from the development plan (currently adopted Unitary Development Plan)</p>	<p>The Town and Country Planning (General Development Procedure) Order 1995</p>	<p>LPA to advertise in local press</p> <p>Site notice to be displayed for 21 days</p> <p>Website</p>	<p>Press notice</p> <p>Website</p> <p>Site notice</p> <p>Neighbour notification</p>
<p>Proposal affecting a public right of way</p>	<p>The Town and Country Planning (General Development Procedure) Order 1995</p>	<p>LPA to advertise in local press</p> <p>Site notice to be displayed for 21 days</p> <p>Website</p>	<p>Press notice</p> <p>Website</p> <p>Site notice</p>
<p>Major development: (Development of more than 10 dwellings, or more than 1000m² of floorspace or on a site larger than 0.5ha)</p>	<p>The Town and Country Planning (General Development Procedure) Order 1995</p>	<p>LPA to advertise in local press</p> <p>Site notice to be displayed for 21 days or neighbour notification</p> <p>Website</p>	<p>Press notice</p> <p>Website</p> <p>Site notice</p> <p>Neighbour Notification to those who physically adjoin the site</p>

Nature of proposed development	Relevant secondary legislation	Statutory publicity	Publicity carried out by RBKC
Minor development: (Development of 10 or less dwellings, less than 1000m ² floorspace or on a site less than 0.5ha)	The Town and Country Planning (General Development Procedure) Order 1995	<p>Site notice to be displayed for 21 days or neighbour notification</p> <p>Site notice and Press notice if application affects the character or appearance of a Conservation Area or Listed Building</p> <p>Website</p>	<p>Press notice</p> <p>Website</p> <p>Site notice</p> <p>Neighbour Notification to those who physically adjoin the site</p>
Householder Development	The Town and Country Planning (General Development Procedure) Order 1995	<p>Site notice to be displayed for 21 days or neighbour notification</p> <p>Site notice and Press notice if application affects the character or appearance of a Conservation Area or Listed Building</p> <p>Website</p>	<p>Press notice</p> <p>Website</p> <p>Site notice</p> <p>Neighbour Notification to properties who physically adjoin the application site</p>

Nature of proposed development	Relevant secondary legislation	Statutory publicity	Publicity carried out by RBKC
Change of Use	The Town and Country Planning (General Development Procedure) Order 1995	<p>Site notice to be displayed for 21 days or neighbour notification</p> <p>Site notice and Press notice if application affects the character or appearance of a Conservation Area or Listed Building</p> <p>Website</p>	<p>Press notice</p> <p>Website</p> <p>Site notice</p> <p>Neighbour Notification to properties who physically adjoin the application site</p>
Variation or removal of condition(s) attached to a previous approval	The Town and Country Planning (General Development Procedure) Order 1995	<p>Site notice to be displayed for 21 days or neighbour notification</p> <p>Site notice and Press notice if application affects the character or appearance of a Conservation Area or Listed Building</p> <p>Website</p>	<p>Press notice</p> <p>Website</p> <p>Site notice</p> <p>Neighbour letter to those who commented on original application</p>
Listed Building Consent Conservation Area Consent	The Planning (Listed Buildings And Conservation Areas) Regulations 1990	<p>LPA to advertise in local press</p> <p>Site notice</p> <p>Website</p>	<p>Website</p> <p>Press notice</p> <p>Site notice</p>
Consent to display advertisements	The Town and Country Planning	Nil	Website

Nature of proposed development	Relevant secondary legislation	Statutory publicity	Publicity carried out by RBKC
	(Control of Advertisements) Regulations 2007		
Discharge of Planning Conditions	Town and Country Planning Act 1990	Nil	Nil
Applications for Non-material Amendments	The Town and Country Planning (General Development Procedure) (Amendment no.3) Order 2009	Nil	Nil
Applications for Time Extensions to existing planning permissions	The Town and Country Planning (General Development Procedure) (Amendment no.3) Order 2009	As per original application requirements – please see relevant category	As per original application requirements – please see relevant category
Certificate of Lawful Use or Development - Existing	The Planning (Listed Buildings And Conservation Areas) Regulations 1990	Nil	Website
Certificate of Lawful Use or Development - Proposed	The Town and Country Planning (Control of Advertisements) Regulations 2007	Nil	Website
Applications for works to trees covered by Tree Preservation Orders		Nil	Website Press notice Letters sent to those registered on the RBKC system

Nature of proposed development	Relevant secondary legislation	Statutory publicity	Publicity carried out by RBKC
Demolition determination as to whether prior approval of LPA is required	The Town and Country Planning (General Permitted Development) Order 1995	Applicant/agent to display site notice for 21 days of the 28 day period	Website
Prior approval to demolish	The Town and Country Planning (General Development Procedure) Order 1995	Nil	Website
Telecommunications prior approval	The Town and Country Planning (General Permitted Development) Order Part 24	Site notice to be displayed by LPA for 21 days <i>or</i> neighbour notification	Website Site notice Press notice if proposal affects the character or appearance of a Conservation Area or proposal affects a Listed Building
Observations from another Council		Nil	Website Neighbour notification to properties within RBKC

Advertisements in the local press

Advertisements are placed in two local newspapers, the Kensington News and the Informer, as appropriate for the site in question. The period for comment is 14 days from the date of publication.

Advertisements on the website (www.rbkc.gov.uk/planning)

The planning register from 1948 is available on the planning pages of the Council's website. Application documents for all applications from 2005 are available on the website and can be found using a number of different search criteria; the simplest is to search using the application number.

Site notices

Site notices are printed by the Council. They are displayed by the Council in at least one place on or near the land to which the application relates for not less than 21 days. Where the site notice is, without any fault or intention of the local planning authority, removed, obscured or defaced before the period of 21 days has elapsed, the authority shall be treated as having complied with these requirements if they have taken reasonable steps for protection of the notice and, if need be, its replacement.

Neighbour notification

Neighbour notification of an application is in the form of a letter giving brief details of the proposal, details of where and when the application may be seen, and the last date for comments (normally 21 days from the date of the letter). Letters are addressed to 'the occupier/owner'.

Neighbours notified are those occupying buildings/sites physically adjoining the site. If it is unclear as to whether they adjoin or not we will generally notify. Letters to neighbours are sent at the registration stage of an application.

The decision on which properties to notify is made by the Registration Officer. The Case Officer may request additional notifications to be carried out based on their professional assessment of the proposal and its likely impacts on the area surrounding the site.

As a result of any pre-applications or other consultations undertaken by a developer the Council will take a view as to any additional notifications required on a case by case basis.

Royal Borough Councillor Notification

Councillors can request to receive an electronic copy of the weekly list of planning applications. This service is also available to the public via the Council's website.

Additional notification

Any request for additional notification on an application should be directed to the Case Officer for their consideration. However a notification does not need to have been received in order for a member of the public to make comment, and this would always be stressed when any request is received. The electronic weekly list can be subscribed to for free on the Council's website.

Pre-decision Amended Plans

Pre-decision amendments can be accepted at the discretion of the Case Officer. It is unlikely that amendments would be accepted if it would delay the decision beyond the target date for the application.

Re-notification may occur, but normally only if the amendments are significant alterations or increase the size of the proposal. If the proposal remains very similar, or would reduce in size and impact, then re-notification would not normally occur.

Post-decision Amendments

Following the grant of planning permission, it may be necessary to make amendments to the permission. Where these are non-material, an applicant can apply to us to ascertain this. Whether or not a proposed amendment is non-material will depend on the circumstances of the case – a change which may be non-material in one case could be material in another. There is no statutory definition of non-material, but we may well reject an application for a non-material amendment if (this list is not exhaustive):

- There were any relevant objections to the original proposal, or
- If an amendment increases the size of any part of the development, or
- Locates any part of the development significantly closer to a neighbour, or
- Changes windows in any elevation facing a neighbour in a way which increases overlooking in any way, or
- Would result in a greater visual intrusion to neighbours
- Would result in the need for additional conditions

Applications for non-material amendments will not be the subject of publicity.

Reports to the Planning Applications Committee Prior to the Expiry of Notification Period

As reports to Planning Applications Committee making recommendations on applications have to be written 2-3 weeks prior to the meeting, in some cases the report will be written prior to the expiry of the consultation period. In these instances, additional representations received after the report is written and prior to the meeting will be reported on the Pre-Committee Memo which is compiled on the day of the meeting and presented at the meeting.

Date of decision

The decision on an application is not issued until after the last expiry date for responses to notifications.

Glossary

LPA - Local Planning Authority

Weekly list - list of all applications registered within the week, produced every week and published on the Council's website.