

Response Form

Partial Review of the Core Strategy for the Royal Borough of Kensington and Chelsea with a focus on North Kensington

Development Plan Document policies

All representations **must** express a view regarding the soundness or legal compliance of a planning policy. If the representation does not comment on soundness or legal compliance, or deal with how a policy can be altered to make it sound the representation will **not** be valid.

Name: Penelope Rowe

Company/Organisation: _____

Representing: _____

Please complete the form and email it or send it to:

The Executive Director of Planning and Borough Development
f.a.o The Policy Team
The Royal Borough of Kensington and Chelsea
The Town Hall,
Hornton Street,
London W8 7NX

Email address: planningpolicy@rbkc.gov.uk

Publication Stage Representation Form

To be **“sound”** the contents of a local plan should be POSITIVELY PREPARED, JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.

“Positively prepared” means that the planning policy needs to:

- be prepared based on a strategy which seeks to objectively assess development and infrastructure requirements, including those of neighbouring authorities where it is reasonable to do so.
- It must also be consistent with achieving sustainable development.

“Justified” means that the planning policy must be:

- founded on a proportional evidence base
- the most appropriate strategy has been selected when considered against the reasonable alternatives.

“Effective” means that the planning policy must be:

- deliverable over its period
- based on effective joint working on cross – boundary strategic priorities.

“Consistent with National Policy” means that the planning policy should enable the delivery of sustainable development in accordance with the guidance contained within the National Planning Policy Framework (NPPF).

It must also be **legally compliant** which means that the planning policies have been prepared in accordance with legal and procedural requirements.

State planning policy or paragraph number to which you are referring

BASEMENTS PUBLICATION PLANNING POLICY July 2013
Paragraph 34.3 and also Policy CL7

Yes

No

Do you consider the planning policy to be sound?

tick

Please tick box as appropriate

If you have selected YES and you wish to support the soundness of the planning policy, please give your reasons below. Please be as precise as possible. Please make it clear which paragraph number or Policy box number you are commenting on.

With reference to the whole document but with particular reference to paragraphs 34.3.49, 34.3.50, 34.3.51, 34.3.61-63

As the Council points out in these paragraphs "A basement development next door ...can have a serious impact on the quality of life" especially since "the duration of construction is longer than for above ground extensions, the excavation process has a high impact on neighbours and the removal of spoil requires many more vehicle movements". The Council draws attention to the fact that the Borough is densely populated with tight knit streets which may have several basements being constructed simultaneously and "the effect of multiple excavations in many streets can be the equivalent of having a permanent inappropriate use in a residential area with long term harm to residents' living conditions". I know for a fact that excavation work can be a nightmare as one of my neighbours previously affected by adjacent basement development has been driven to sell up by fresh planning applications for basement development the other side.

Other concerns include structural stability of neighbouring property, drainage control and the environmental impact of basements including problems of drainage control, carbon emissions etc.

This policy is **justified** as it tries to put a brake on inappropriate undertakings in a residential area and mitigate the effects of basement developments on neighbours and their properties, and limit the impact and damage on the environment by restricting "the scale, form and extent of basements" by measures such as the "50% of garden" limit and the "single storey" limit.

These measures strike a reasonable balance between the owner's right to develop and the residents' right to the quiet enjoyment of their own homes.

Regarding listed buildings which are not adequately protected currently as far as basement development is concerned the policy is justified to protect listed buildings from unsuitable infringement of the building's integrity.

please attach additional pages as required

If you have selected NO to the planning policy being sound do you consider the planning policy to be unsound because it is not:

Positively prepared

☐

Justified

☐

Effective

☐

Consistent with national policy

☐

Please give details of why you consider the planning policy to be unsound and / or suggest changes as to how it could be made sound. Please make it clear which paragraph number or Policy box number you are commenting on.

Please attach additional pages as required

Yes

No

Do you consider the Planning Policy Document to be legally compliant?

☐☐

Please give the reasons for your choice below and be as precise as possible. Please make it clear which paragraph number or Policy box number you are commenting on.

please attach additional pages as required

Do you wish to appear at the Examination on any of these matters?

Yes

☐

No

tick

☐

Please specify on what matter