

During the application process - what happens while your application is being processed

Once an application has been made

We receive more than 5000 applications a year. The majority of these applications will be available to view on the Council's website. We are also working towards providing applicants with the ability to keep up to date with the progress of their application through the Council's website. The following provides information on the process of considering and determining a planning application.

Acknowledging an application

Every application submitted to the Royal Borough will be registered and acknowledged by our Planning Registration Team. If you have provided an email address you will receive your acknowledgement electronically. In addition, you will be contacted throughout the process of your application by electronic means; this includes the receipt of your decision notice.

Consultation on planning applications

Most planning applications are subject to some form of public consultation. The extent of public consultation depends on the type and scale of the application. The document below outlines our consultation practices.

The Royal Borough of Kensington and Chelsea's public consultation guidelines for planning applications

Please note that you do not need to be formally consulted on an application to submit comments on a proposal. If you wish to be kept informed of applications in your area, or in an area that is of interest to you, you are advised to subscribe to the Council's MyRBKC email alert facility.

This facility allows you to register with the service and be informed, by email, of applications that are submitted that meet your chosen criteria. Please click on the link below to be directed to the MyRBKC facility.

MyRBKC

If you have not been consulted on a proposal that is currently taking place, it could be that planning permission is not required. There are certain works that do not need planning permission and as such, they are not subject to public consultation. However, on occasion people do begin building works, or change the use of a property without the correct planning consents in place. In these circumstances our Enforcement Team would investigate. Please consult our Enforcement page for further information and advice.

Planning Enforcement

Viewing and commenting on an application

We publish the majority of planning applications on our website. On occasion, if it is deemed a security risk to publish plans of a building, we may restrict viewing of these documents on the website. This normally only affects embassies, royal buildings and banks.

Application search page

If you do not have access to the internet, you can view the plans electronically on the ground floor of the Town Hall during normal opening hours. No appointment is necessary as we operate a self-service system. A planning officer will be available should you have any questions regarding the plans.

If you have received notification of a planning application near to you and wish to register your comments, you should firstly consider the proposal and ensure that you fully understand what is

being proposed.

Once you have viewed the plans and associated documents, we encourage you to speak to the applicant or their representative. If you approach them and explain any concerns, either in person or in writing, they may be willing to address these issues and amend their proposal to overcome your concerns. If having spoken to the applicant, you still wish to comment on a planning application you must provide your comments in writing. We encourage you to use the comments form on our website. You may also send your comments by email to **planning@rbkc.gov.uk** or by post to the Town Hall address. **Please include the reference number of the application and your full postal address.**

We normally allow three weeks for comments on planning applications. Please submit your comments to the Council within the set timescales to ensure that your comments are taken into consideration. We aim to make decisions on applications soon after the close of the consultation period so comments received after the given period may not be taken into consideration when determining the application. The dates for the consultation period will be clearly advertised on any relevant documentation. You can also check this for each application on the Council's website.

Sometimes applicants will withdraw an application and resubmit a similar scheme. Comments you may have made on the first application will not be routinely carried over to the new application as each application is considered on its own merits. If you still have concerns about the resubmission, please ensure you comment on the new scheme.

It is important that third parties express their views on an application but unfortunately, some of your concerns may not be issues we can consider when determining an application as they are not "material planning considerations". Issues we can and cannot take into consideration are listed below. This list is not exhaustive and should be used as a guide only.

Material Planning Considerations (issues we can consider)

loss of light

loss of privacy/increase in overlooking

design/appearance of a development

increase in smells (from a proposed restaurant for example)

noise from equipment that forms part of the development (air conditioning units or extractor flues for example)

Non Material Planning Considerations (issues we cannot consider)

loss of property value

disruption and disturbance from building work

land ownership or issues affecting the party wall (these are dealt with under separate legislation). For further advice please see **other possible approvals**

Contacting the Planning Officer

Each application is allocated to a Planning Officer. They are also known as the case officer. This officer will oversee the application; coordinating all the relevant consultations, site visits, negotiations, reviewing planning policies and they will ultimately make a recommendation on the proposal to the Executive Director for Planning and Borough Development.

Due to increasing workload, case officers are extremely busy and therefore are not available to discuss an application on a drop-in basis. In order to deal with enquiries on applications, we have a dedicated team of trained advisers who can inform you of general processes and give you updates on applications. Please call PlanningLine on 020 7361 3012.

Site Visits

The case officer will make a visit to each application site prior to making a recommendation on the proposal. In some instances they will have to make an appointment with the applicant or their representative to access the site. However, if the application site is visible from a public area the case officer will normally view without first making an appointment.

If the case officer does need access to the site, they will contact the applicant or their agent to

arrange a mutually suitable date and time. Case officers endeavour to arrange site visits early in the determination process.

The case officer will look at the site and spend time considering the proposal and how it may affect the surrounding area. In most cases they will take photographs. Due to the often complex issues in planning it is not always possible to give a definitive answer to the acceptability of a proposal during the site visit. The Officer may wish to discuss the proposal with other council departments or senior officers.

Occasionally an officer may wish to view a site from neighbouring properties to assess the impact a proposal may have on its surroundings. If this is considered necessary, the case officer will contact the occupiers of the property and make the appropriate arrangements.

Case officers do receive requests from neighbours to view the site from their property. Please be aware that case officers will only agree to these requests if they believe they have not fully understood the proposal from visiting the application site. They will not visit neighbouring sites as a matter of routine.

Revisions to planning applications prior to determination

In some circumstances an application as submitted may not be acceptable. However with some minor adjustments to the proposed plans an approval of permission would be acceptable. In this instance the Planning Officer may request amendments, often known as revisions, to the proposed plans. As an applicant you will be given a set time period in which to provide amended drawings. Due to tight timescales set for the determination of applications, we would request that you submit amended drawings within the timescale given by your case officer otherwise we may have to refuse the application. If substantial amendments are required to make a scheme acceptable then we will not request amendments, but will offer you the opportunity to withdraw the application if you do not wish for it to be refused.

As an interested party you may be advised that amended drawings have been received and given a further time period in which to comment on the revised proposals. Please note that we do not consult upon amended drawings as a matter of course; the decision to consult would be for the case officer to make based upon individual circumstances.

If you are consulted on a revised application, please ensure you submit any comments to the council within the timescale given.

Delegated Powers and the Planning Applications Committee

The Planning Applications Committee is a public meeting made up of elected Councillors who meet regularly to decide whether certain planning applications should be approved or refused. Most planning applications can be determined by the Executive Director using his delegated powers. However, a small percentage cannot and must be presented to the Planning Applications Committee for them to consider the Officer's recommendations and decide whether the proposed development is acceptable or not.

Most applications start life as delegated cases. Through the consideration of the issues certain applications must transfer from being delegated cases to being committee cases. The Committee decides those applications where:

- there have been 3 or more objections and the Executive Director for Planning and Borough Development is recommending that planning permission should be granted
- in most cases where a section 106 agreement is proposed
- an elected Member has requested that the application be considered by Committee
- the Executive Director for Planning and Borough Development has decided that the application should be considered by the Committee
- an application is contrary to the Council's planning policies and the Executive Director's recommendation is to grant permission

Please see the Planning Committee page for further information and meeting dates.

Planning Applications Committee