

PAS Soundness Compliance Checklist



Soundness tool

Key question	Possible evidence	Evidence provided
Justified		
Participation		
1. Has the consultation process allowed for effective engagement of all interested parties?	The consultation statement	Yes, The consultation statement confirms that two separate consultations took place, both at Issues and Options stage and draft policy stage.
Research/ fact finding		
2. Is the content of the development plan document justified by the evidence? 3. What is the source of the evidence? 4. How up to date and convincing is it?	i. Sections of the development plan document which show how the evidence points towards the selected strategy, policies or proposals ii. Sections of the pre-submission proposals documents iii. Sections of the preferred strategy report iv. Sections of the sustainability appraisal report which set out its main conclusions in relation to the policies in the development plan document v. Sections of the consultation statement OR A very brief statement of how the main findings of consultation support the policies, with reference to: <ul style="list-style-type: none"> ○ reports to the council on the issues raised during participation, covering both the front-loading and formulation phases ○ any other information on community views and preferences vi. The studies, reports and technical papers that provide the evidence for the policies set out in the development plan document. The date of preparation and who they were produced by should be signposted OR	With reference to public houses the evidence shows that their rate of loss has increased since the Core Strategy was adopted (December 2010). The current approach in the Core Strategy is not in alignment with the NPPF and this has been acknowledged in one appeal decision which has been submitted to PINS. House prices continue to rise to an average of over a million pounds based on data from the Land Registry, the highest in the United Kingdom. Information on latest average house prices in RBKC is submitted to PINS. The publication of the National Planning Policy Framework (NPPF) in March 2012 makes reference that to being in alignment planning policies should guard against the unnecessary loss of valued facilities and services.

Key question	Possible evidence	Evidence provided
	<p>For each policy (or group of policies dealing with the same issue), a very brief statement of the evidence documents relied upon and how they support the policy (where this is not already clear in the reasoned justification in the development plan document)</p>	
<p>5. What assumptions had to be made in preparing the development plan document?</p> <p>6. Are the assumptions reasonable and justified?</p>	<p>i. Sections of the development plan documents setting out the assumptions</p> <p>ii. Sections of the sustainability appraisal report setting out the assumptions</p> <p>iii. A very brief statement for each assumption as to how the evidence led to the assumption</p> <p>iv. Reference to national or regional policy, correspondence from bodies consulted or technical papers that provide the basis for assumptions</p>	<p>The assumptions made were that Kensington and Chelsea would continue to experience a growth in residential property prices with many global investors seeing it as a safe haven for investment. This has proved to be the case and as such non residential uses, particularly outside areas of control such as town centres have come under increasing pressure to change to residential use and will continue to do so. It has also seen an increase in applications to change public houses to residential use. Information submitted to PINS on average residential prices in RBKC.</p>
Alternatives		
<p>7. Can it be shown that the council's chosen approach is the most appropriate given the reasonable alternatives?</p> <p>8. Have realistic alternatives been considered and is there a clear audit trail showing how and why the preferred strategy/approach was arrived at?</p> <p>9. Where a balance had to be struck in taking decisions between competing alternatives is it clear how and why these decisions were made?</p>	<p>i. Sections of the consultation statement showing how the community was involved in considering issues, alternatives and options</p> <p>ii. Documents used in community involvement with stakeholders and communities encouraging them to identify the issues and options they wished to see considered</p> <p>iii. Any report produced at the end of the front loading phase of plan preparation setting out the issues and options raised</p> <p>iv. Sections of the preferred strategy report explaining:</p> <ul style="list-style-type: none"> • how alternatives were developed and evaluated, and • why alternatives were rejected in favour of the preferred strategy <p>v. Sections of the sustainability appraisal report showing the options and alternatives and explaining</p>	<p>The SEA shows how different options were appraised. However, the Policy Development Statement also explains how the alternatives were examined and why the preferred policies were chosen. There balance that had to be struck between competing alternatives in the case of the draft policies has been explained.</p>

Key question	Possible evidence	Evidence provided
	<p>how they were objectively assessed</p> <ul style="list-style-type: none"> vi. Reports prepared during the plan preparation process (including after the preferred strategy participation) contributing to the decisions made on the inclusion of policies in the development plan document vii. Sections of the consultation statement explaining how the main findings of consultation support the decisions viii. Sections of the representations statement <p>OR</p> <p>A brief statement of the influence upon decisions of: the issues raised during stakeholder and community engagement, and how they have been addressed</p> <ul style="list-style-type: none"> ix. Any other documentation showing how alternatives were developed and evaluated x. A very brief statement and any other supporting documentation of the way decisions have been taken 	
<p>10. Does the sustainability appraisal show how the different options perform and is it clear that sustainability considerations informed the content of the development plan document from the start?</p>	<ul style="list-style-type: none"> i. A structure to the development plan document which reports the sustainability appraisal findings in relation to each policy ii. Sections of the sustainability appraisal report which set out how sustainability appraisal has influenced the development of the preferred strategy and how policies have been revised in the light of sustainability appraisal findings iii. Reports made as part of plan-making which indicate how sustainability appraisal has influenced the choice of strategy and the content of policies 	<p>Yes, both the Scoping Report, The Sustainability appraisal and the Sustainability Appraisal Report show how the different options perform and how they have influenced the content of the draft policies.</p>
<p>11. Does the development plan document adequately expand upon regional guidance rather than simply duplicate it?</p> <p>12. Does the strategy take forward the regional context reflecting the local issues and</p>	<ul style="list-style-type: none"> i. Sections of the development plan document which explain where and how regional guidance has been elaborated upon and the reasons ii. The regional development agency/regional planning body letter confirming that the development plan document is in general conformity with the regional 	<p>Yes, the draft policies expand on policies in the London Plan (adopted July 2011) particularly Policies 7.1 (Building London's Neighbourhoods and Communities) and Policy 7.4 (Local Character). They very much take a distinctive local approach to issues in Kensington and Chelsea.</p>

Key question	Possible evidence	Evidence provided
objectives?	special strategy iii. Representations received from the regional development agency/regional planning body iv. Representations from the Government Office v. Reports or copies of correspondence as to how the representations have been considered and dealt with	

Effective		
Deliverable		
<p>13. Has the council clearly identified what the issues are that the development plan document is seeking to address?</p> <p>14. Have priorities been set so that it is clear what the development plan document is seeking to achieve?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document which refer to the vision and objectives of the sustainable community strategy and the issues identified there ii. A statement prepared following stakeholder and community engagement in the front-loading phase of plan-making setting out the identified issues for the development plan document A spatial portrait based on the advice in 'Policies for spatial plans' presented as part of the core strategy iii. A core strategy vision which is framed to set out the outcomes which are sought for the future iv. Sections of the development plan document which identify the main issues addressed v. Sections of the development plan document which indicate the priority outcomes 	<p>As part of the reasoned justification to the policies the Council has identified the issues that the draft policies are seeking to address.</p> <p>The adopted Core Strategy provides the vision, background and strategic objectives to the policies so it is clear what they are seeking to achieve.</p>
<p>15. Are there any cross-boundary issues that should be addressed and, if so, have they been adequately addressed?</p>	<ul style="list-style-type: none"> i. Sections of the regional special strategy which identify cross-boundary issues. ii. Sections of the development plan document setting out cross-boundary issues and the response to them iii. Reports on relevant studies which cover wider areas than the local authority and how the development plan document addresses their findings or recommendations iv. Records of meetings with adjoining authorities or relevant agencies which confirm that there are no cross-boundary issues of significance 	<p>There are no cross boundary issues in relation to the draft policies.</p>
<p>16. Does the development plan document contain clear objectives?</p>	<ul style="list-style-type: none"> i. A spatial portrait which identifies the key issues facing the area ii. A core strategy vision which is framed to set out the outcomes which are sought for the future iii. The strategic objectives of the development plan document, and the commentary in the development plan document of how they derive from the spatial 	<p>The adopted Core Strategy contains clear objectives including a strategic objective for keeping life local, a strategic objective for fostering vitality and a strategic objective for renewing the legacy where context and character are given the highest priority.</p>

	portrait and vision	
<p>17. Are the objectives specific to the place; as opposed to being general and applicable to anywhere?</p> <p>18. Is there a direct relationship between the identified issues and the objectives?</p>	<p>i. The spatial portrait and the commentary in the development plan document as to how the objectives derive from it</p> <p>ii. Confirmation from the local strategic partnership and partner organisations that they agree the objectives as being specific to the place</p>	<p>The adopted objectives to which the policies relate are distinctive to the Borough.</p>
<p>19. Is it clear how the policies will meet the objectives?</p> <p>20. Are there any obvious gaps in the policies, with regard to the objectives of the development plan document?</p>	<p>i. Relevant sections of the development plan document which explain how policies derive from the objectives and are designed to meet them</p> <p>ii. Relevant sections of the sustainable community strategy which identify its objectives</p> <p>iii. Confirmation from the local strategic partnership and partner organisations that they believe the policies will achieve the agreed objectives</p> <p>iv. Research reports and studies which address the means to address objectives and conclude that the policies are appropriate and should succeed</p> <p>v. Sections of the development plan document, reports or other documents which discuss the matters which should be addressed in the development plan document.</p>	<p>It is clear how the draft policies will meet the objectives. The policy relating to public houses and other facilities which 'Keep Life Local' clearly relate to the Strategic Objective of 'Keeping Life Local.' The policy relating to use and how this can contribute to the character of an area clearly relates to the strategic objective of 'Renewing the Legacy.'</p> <p>There are no obvious gaps in the policies with regard to the objectives of the development plan document.</p>
<p>21. Are there realistic timescales related to the objectives?</p>	<p>i. Sections of the development plan document which address delivery and the timescales for key developments and initiatives</p> <p>ii. Confirmation from the local strategic partnership and partner organisations that the timescales are realistic in terms of their contribution to delivery</p>	<p>The adopted strategic objectives will last for the lifetime of the Plan which is until 2028.</p>
<p>22. Are the policies internally consistent?</p>	<p>i. Sections of the development plan document, documents used in community involvement, and technical papers which demonstrate that the objectives are consistent</p> <p>ii. A very brief statement explaining how the council considers its objectives are consistent</p>	<p>The draft policies are internally consistent with other adopted policies in the Plan and will sit alongside them.</p>
<p>23. Does the development plan</p>	<p>i. Information in the local development scheme, or</p>	

<p>document contain material which:</p> <ul style="list-style-type: none"> • is already in another plan • should be logically be in a different plan • should not be in a plan at all? 	<p>provided separately, about the scope and content (actual and intended) of each development plan document. This should show how they combine to provide a coherent policy structure</p> <ul style="list-style-type: none"> ii. Representations from the Government Office iii. Reports or copies of correspondence as to how the representations have been considered and dealt with 	
<p>24. Does the development plan document explain how its key policy objectives will be achieved?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document that identify the key objectives and how they will be delivered upon ii. Confirmation from the relevant agencies that they support the objectives and the identified means of delivery iii. Other supporting material – for example, commitments in the local area agreement that will support the delivery of the strategy in the development plan document 	<p>Not relevant in this case.</p>
<p>25. If there are development management policies, are they supportive of the strategy and objectives?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document that show how the development management policies: <ul style="list-style-type: none"> • will help to deliver the strategy 37. derive from, and elaborate on, the objectives and policies of the plan 	<p>This point has been addressed - it is clear how the draft policies will meet the objectives. The policy relating to public houses and other facilities which 'Keep Life Local' clearly relate to the Strategic Objective of 'Keeping Life Local and 'Fostering Vitality.' The policy relating to use and how this can contribute to the character of an area clearly relates to the strategic objective of 'Renewing the Legacy.'</p>
<p>26. Have the infrastructure implications of the strategy/policies clearly been identified?</p>	<ul style="list-style-type: none"> i. A section or sections of the development plan document where infrastructure needs are identified and the proposed solutions put forward ii. Representations in respect of infrastructure iii. Reports or copies of correspondence as to how representations in relation to infrastructure have been considered and dealt with 	<p>Not relevant in this case</p>
<p>27. Are the delivery mechanisms and timescales for implementation of the policies</p>	<ul style="list-style-type: none"> i. Sections of the development plan document setting out delivery mechanisms and timescale 	<p>Not relevant in this case.</p>

clearly identified?	<ul style="list-style-type: none"> ii. Other development plan documents being prepared that develop the policies of the core strategy further and set out how they will be delivered iii. Research or studies that address matters of delivery and the realistic timescales iv. Documents that set out arrangements made or planned for local delivery vehicles, or other delivery mechanisms v. Very brief statements on how other stakeholders intend to support the delivery of the policies, with any supporting correspondence or reports by the authority or the relevant stakeholder vi. Correspondence from stakeholders on delivery mechanisms and timescale vii. Reports or copies of correspondence as to how representations on delivery and implementation have been considered and dealt with 	
28. Is it clear who is going to deliver the required infrastructure and does the timing of the provision complement the timescale of the strategy/policies?	<ul style="list-style-type: none"> i. Confirmation from infrastructure providers that they support the solutions proposed and the identified means and timescales for their delivery ii. Representations in respect of infrastructure iii. Reports or copies of correspondence on how representations in relation to infrastructure and its timing have been considered and dealt with 	Not relevant in this case.
<p>29. Is it clear who is intended to implement each part of the strategy/ development plan document?</p> <p>30. Where actions required to implement policy are outside the direct control of the council, is there evidence of commitment from the relevant organisation to implement the policies?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document setting out responsibilities for delivery ii. Correspondence showing how other stakeholders intend to support the delivery of the policies iii. Reports by the council or the relevant stakeholder iv. Representations from stakeholders on implementation v. Reports or copies of correspondence as to how representations on delivery and implementation have been considered and dealt with 	The draft policies will be implemented by the Council – there are no other bodies or organisations relevant in this case.
31. Does the development plan document reflect the concept	<ul style="list-style-type: none"> i. Sections of the development plan document that reflect the plans or strategies of other bodies 	The draft policies are considered to be spatial as they are locally distinctive and based on land use

<p>of spatial planning?</p> <p>32. Does it go beyond traditional land use planning by bringing together – and integrating – policies for development, and the use of land, with other policies and programmes from a variety of organisations that influence the nature of places and how they function?</p>	<ul style="list-style-type: none"> ii. Expressions of support from bodies responsible for other strategies affecting the area iii. Representations in respect of services provided by other agencies iv. Reports or copies of correspondence as to how the representations have been considered and dealt with. These should either clarify the issues raised in the representation, or include a copy of the substance of the representation 	<p>issues in Kensington and Chelsea.</p>
<p>33. Does the development plan document take into account matters which may be imposed by circumstance, notwithstanding the council's views about the matter?</p>	<ul style="list-style-type: none"> i. Explicit recognition within the development plan document that this may happen, and clear information about how the plan strategy can accommodate them ii. Consideration of the options in relation to such matters as part of the evaluation of alternatives in a report on the preferred strategy 	<p>The evaluation of alternatives is not relevant in this case, apart from Issues and Options stage which has been explained in the Policy Development Statement.</p>
<p>Flexible</p>		
<p>34. Is the development plan document flexible enough to respond to a variety of, or unexpected changes in, circumstances?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document setting out the assumptions of the plan and identifying the circumstances when policies might need to be reviewed ii. Sections of the annual monitoring report and sustainability appraisal report describing how the council will monitor: <ul style="list-style-type: none"> • the effectiveness of policies and what evidence is being collected to undertake this • changes affecting the baseline information and any information on trends on which the development plan document is based iii. Statements or correspondence from stakeholders which commit to providing information to be used in monitoring the progress of the policies and changes in the baseline iv. Risk analysis of the strategy and policies to demonstrate robustness and how the plan could cope with changing circumstances 	<p>Not relevant in this case.</p>

<p>35. Is the development plan document sufficiently flexible to deal with any changes to, for example, housing figures from an emerging regional special strategy?</p>	<ul style="list-style-type: none"> i. Sections within the development plan document dealing with possible change areas and how they would be dealt with, including mechanisms for the rate of development to be increased or slowed and how that would impact on other aspects of the strategy and on infrastructure provision ii. Risk analysis of the strategy and policies to demonstrate robustness and how the plan could cope with changing circumstances 	<p>Not relevant in this case.</p>
<p>36. Does the development plan document include the remedial actions that will be taken if the strategies/policies are failing?</p>	<ul style="list-style-type: none"> i. A section of the development plan document which expressly addresses flexibility ii. Sections of the development plan document identifying the key indicators of success of the strategy, and the remedial actions which will be taken if they are failing 	<p>Policies within the Core Strategy are monitored to ensure that they deliver what they set out to do. The draft policies will be monitored to ensure that this happens and the results will be set out in the Annual Monitoring Report (AMR).</p>
Monitoring		
<p>37. Does the development plan document contain targets and milestones that relate to the delivery of the policies, including housing trajectories where the plan contains housing allocations?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document setting out indicators, targets and milestones ii. Sections of the current annual monitoring report which report on indicators, targets, milestones and trajectories iii. Reference to any other reports or technical documents which contain information on the delivery of policies 	<p>Not relevant in this case</p>
<p>38. Is it clear how these are to be measured and are these linked to the production of the annual monitoring report?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document setting out indicators, targets and milestones ii. Sections of the current annual monitoring report and the sustainability appraisal report setting out the framework for monitoring, including monitoring the effects of the development plan document against the sustainability appraisal iii. Reference to any other reports or technical documents which contain information on the collection or measurement of indicators 	<p>Policies within the Core Strategy are monitored to ensure that they deliver what they set out to do. The draft policies will be monitored to ensure that this happens and the results will be set out in the Annual Monitoring Report (AMR).</p>
<p>39. Are suitable targets and</p>	<ul style="list-style-type: none"> i. Sections of the development plan document setting 	<p>Yes, suitable targets have already been set in the</p>

<p>indicators present (by when, how and by whom)?</p>	<p>out indicators, targets and milestones</p> <ul style="list-style-type: none"> ii. Sections of the current annual monitoring report that report on indicators, targets, milestones and trajectories 	<p>adopted Core Strategy.</p>
---	--	-------------------------------

<p>National policy</p>		
<p>40. Does the development plan document contain any policies or proposals that are not consistent with national planning policy?</p> <p>41. If yes, is there a local justification?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document which refer to planning policy statements and justify why any policies are not consistent with national policy ii. Sustainable community strategy, studies forming evidence for the development plan document or other information which provide the stimulus for departing from national planning policy iii. Evidence provided from the sustainability appraisal (including reference to the sustainability report) and/or from the results of community involvement iv. Representations from the Government Office on the preferred strategy or the submitted development plan document v. Reports or copies of correspondence as to how Government Office representations have been considered and dealt with 	<p>No, the draft policies are consistent with the National Planning Policy Framework (NPPF). Indeed the current approach to public houses is out of alignment with the NPPF in the Core Strategy and this is one of the principal reasons for review.</p>
<p>42. Does the development plan document contain policies that do not add anything to existing national guidance?</p> <p>43. If so, why have they been included?</p>	<ul style="list-style-type: none"> i. Sections of the development plan document which explain where and how national policy has been elaborated upon and the reasons ii. Representations from the Government Office iii. Reports or copies of correspondence as to how the representations have been considered and dealt with 	<p>No, the draft policies do not simply repeat national guidance – they are alignment with it.</p>