Regulation 12 of The Town and Country Planning (Local Planning) (England) Regulations 2012

The Council has prepared a Revised Draft Supplementary Planning Document (SPD) on Basements. In accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, this Consultation Statement sets out –

**Regulation 12 (a) (i) the persons the local planning authority consulted when preparing the supplementary planning document**

The Local Planning Authority has a Local Plan consultation database which has in excess of 2,000 consultees. A mail out was sent to all consultees on the Local Plan database notifying them of the consultation on Basements – Draft Supplementary Planning Document published in February 2015 and inviting comments. The Council also sent a Planning Bulletin (which is open to anyone to subscribe) notifying and inviting comments on the consultation. The consultation took place for 6 weeks between 18 February and 1 April 2015. The Basements – Draft SPD was also available on-line under ‘current consultations’ on the planning pages of the Council’s website and was open to anyone for comment.

The Local Plan database includes ‘general’, ‘specific’, ‘prescribed’ and ‘local’ consultation bodies as required by legislation.

The ‘general consultation’ bodies include voluntary bodies such as Kensington Society, Chelsea Society and Tenants and Residents Associations, bodies which represent the interests of different racial, ethnic or national groups such as London Gypsy and Traveller Unit, bodies representing religious groups such as Church of our most Holy Redeemer, bodies representing the interests of disabled persons such as Action Disability Kensington and Chelsea and bodies which represent the interests of persons carrying out business in the Royal Borough such as KC Chamber of Commerce.

The ‘specific’ and ‘prescribed’ consultation bodies consulted included the Environment Agency; Natural England, Historic England, the Highways Agency, the Clinical Commissioning Group, Thames Water, the Homes and Communities Agency (HCA) and the Mayor of London (GLA).

The ‘local’ consultation bodies consulted included individual residents and persons carrying on business in the Royal Borough who signed up to the above database or Bulletin or visited the specific pages of the Council’s website.
In addition to the formal 6 week consultation on Basements – Draft SPD the Council also set up a working group. The working group comprises representatives from a number of residents’ associations, a planning consultant and basement companies. The group met twice (on 15 January 2015 and 25 March 2015) at Kensington Town Hall and was chaired by the Executive Director for Planning and Borough Development. The minutes of these meetings have been recorded and published on the Council’s website.

**Regulation 12 (a) (ii) a summary of the main issues raised by those persons**

There is general support from residents and residents associations on the guidance provided in the Draft SPD. Some residents associations have asked for further clarity regarding pre-application consultation. Many comments have been received on the sections related to construction impacts. These do not alter the principles set out in the document but ask for further clarity on the details.

Many comments from all parties were received on making the requirements clear and the use of ‘should’ and ‘must’ in the document.

Some applicants and developers have raised objections on the basis that the Draft SPD is setting out new and more onerous requirements than those set out in Policy CL7. Such comments related to most sections including those on pre-application consultation, design guidance and construction impacts.

Comments have been received from planning consultants and others in relation to large sites. These are asking for further clarity in defining these. Some comments were made about removing or including specific sites in the examples included as ‘large sites’. Some commented that setting a rule of thumb’ of 0.5 hectares was not helpful.

**Regulation 12 (a) (iii) how those issues have been addressed in the supplementary planning document**

The Council has tabulated all the responses received by collating them according to the various sections of the Basements – Draft SPD and the questions in the accompanying response form. The Council’s response to each comment is presented in these tables and sets out how comments have been addressed. The Council’s responses have been made available alongside the Basements – Revised Draft SPD consultation (see details below).

**Regulation 12 (b) (i) Date for making representations** – Consultation on Basements – Revised Draft SPD is being undertaken for 6 weeks starting from 30 June 2015 and ending at 11.59pm on 11 August 2015.
Regulation 12 (b) (ii) Address to which responses must be sent – Basements – Revised Draft SPD

Online – [https://planningconsult.rbkc.gov.uk/](https://planningconsult.rbkc.gov.uk/)

Email – planningpolicy@rbkc.gov.uk; or

Post –
Planning Policy Team
Planning and Borough Development
The Royal Borough of Kensington and Chelsea
Kensington Town Hall
Hornton Street
London W8 7NX

In addition to the Council’s website, in accordance with Regulation 35, the Basements – Revised Draft SPD, accompanying response form and this consultation statement are also available for inspection during normal office hours at Kensington Town Hall and at the following locations:

- Kensington Central Library: Phillimore Walk, London, W8 7RX (Mon: 9:30am - 8pm; Tues: 9:30am - 8pm; Wed: 9:30am - 5pm; Thurs: 9:30am - 8pm; Fri: 9:30am - 5pm; Sat: 9:30am - 5pm);

- Chelsea Library: Chelsea Old Town Hall Kings Road, London, SW3 5EZ (Mon: 9:30am - 8pm; Tues: 9:30am - 8pm; Wed: 9:30am - 5pm; Thurs: 9:30am - 8pm; Fri: 9:30am - 5pm; Sat: 9:30am - 5pm);

- North Kensington Library: 108 Ladbroke Grove, London, W11 1PZ (Mon: 9:30am - 8pm; Tues: 9:30am - 8pm; Wed: 9:30am - 5pm; Thurs: 9:30am - 8pm; Fri: 9:30am - 5pm; Sat: 9:30am - 5pm);

- Brompton Library: 210 Old Brompton Road, London, SW5 0BS (Mon: 9:30am - 8pm; Tues: 9:30am - 8pm; Wed: 9:30am - 5pm; Thurs: 9:30am - 8pm; Fri: 9:30am - 5pm; Sat: 9:30am - 5pm);

- Notting Hill Gate Library: Pembridge Square, London, W2 4EW (Mon: 1pm - 8pm; Tues: 1pm - 7pm; Wed: CLOSED; Thurs: 9.30am - 1pm; Fri: 9.30am - 1pm and 2pm - 5pm; Sat: 9.30am - 1pm and 2pm - 5pm); and

- Kensal Library: 20 Golborne Road, London, W10 5PF (Monday: 1pm - 6pm; Tuesday: 1pm - 6pm; Wednesday: Closed; Thursday: 1pm - 6pm; Friday: 9.30am - 5pm; Saturday: 9.30am - 1pm, 2pm - 5pm)-