

Why we are making the North Kingston Neighbourhood Plan (NKNPlan) ahead of the adoption of the Borough-Wide Local Plan

Since the adoption of the London Plan in March 2021, Kingston risks losing local control of planning decisions. This is because:

- **Kingston does not have an up to date Local Plan** – the council is currently consulting on its new Local Plan, but this will not be adopted until 2023/2024. (Government requires all councils to have a new Plan in place by 2024).
- **Kingston does not have a deliverable 5 year housing supply** - and has been under-delivering new homes for a number of years.
- **Kingston may possibly fail the Housing Delivery Test** - at the end of this year as it now has to confirm, by audit, the delivery of at least 964 new homes per year for the next 10 years (Almost twice as many as the previous London Plan requirements). If they fail, there may be penalties.

Listed above are the 3 critical factors leaving Kingston even more vulnerable to speculative development than ever before.

The National Planning Policy Framework (NPPF): sets out Government's planning policies for England. It provides a framework within which locally prepared Plans (produced by councils or neighbourhood forums) for housing or other development can be produced. This is the key political arena in which all neighbourhood forums and civic societies have to operate. The North Kingston Forum ensures it is **non-party-political** but has established a good working relationship with all local councillors and council officers.

§11 of the NPPF explains **The Presumption** in favour of sustainable development and how, if those council policies which are most important for determining new planning applications are out of date, they will trigger **The Presumption**. For Kingston council, **The Presumption** is now tilted in favour of development unless they can find very good reasons not to consent planning permission for inappropriate or speculative development. ([See Tilted Balance](#))

§14 of the NPPF throws Neighbourhood Plans a lifeline in [Presumption Proofing](#). This means that even if the council's Core Strategy is out of date and **The Presumption** has kicked in, the adopted Neighbourhood Plan will still be a material consideration in any planning application if it conflicts with the Neighbourhood Plan policies. In other words, the adopted NKNPlan can still stand on its own two feet in this situation.

Can we bring the NKNPlan forward before the council's Local Plan?

Yes, of course we can. Neighbourhood Plans can be developed before, after or in parallel with a Local Plan, but the law requires that they must be in general conformity with the strategic policies in the adopted Local Plan. In the absence of an up to date Local Plan, the NKNPlan will mostly conform to the new London Plan.

The point of bringing the NPlan forward now is that once adopted, the NPlan will be the most up to date Plan in the borough when adopted in 2022. This means that the NKNPlan can:

- Fill a policy vacuum left wide open by the fact that the council's Core Strategy is out of date.
- Provide some influence on the preparation of the Local Plan
- Influence decisions on planning applications in the neighbourhood because it will become part of the Local Development Framework.

Can a Neighbourhood Plan actually stop speculative development?

Yes. By saying where and how development is acceptable, a community (via their NPlan) can help 'see off' speculative development.

A very important appeal case has just been reported where plans for 35 homes on the edge of a Sussex village that were contrary to a newly made NPlan, were blocked by an inspector. He commented that allowing the appeal by Fairfax Acquisitions **'would significantly undermine public trust in the planning system'**. The community had **"engaged positively with the government's neighbourhood planning agenda"**, the inspector said, and allowing the proposal would **"drive a coach and horses through this community-led process"**. The appeal case: [APP/Z3825/W/20/3261401](https://www.thelocal.com/news/2020/03/26/3261401)

The following illustrations show how:

- The adopted NPlan will sit alongside The London Plan and Kingston's Local Plan in its importance and to give influence to the planning process once adopted.
- The challenges London Plan policy H2: Small Sites and the proposed Opportunity Area boundary will bring to North Kingston, especially to the fringes of the town centre.

The Neighbourhood Forum's local consultations have identified the importance of preserving the area's unique character. Policies are suggested to manage the pressure from Government for increasingly intensive development. Special policies are proposed for land on the fringes of the town centre which is particularly vulnerable, as well as for preserving cherished local areas and buildings.

By identifying where and how development that is acceptable to the local community can be achieved, the threat of speculative development that nobody wants can be reduced.

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The NKNPlan once adopted will become an important part of the Local Development Plan, sitting alongside the council's Local Plan and the new London Plan.

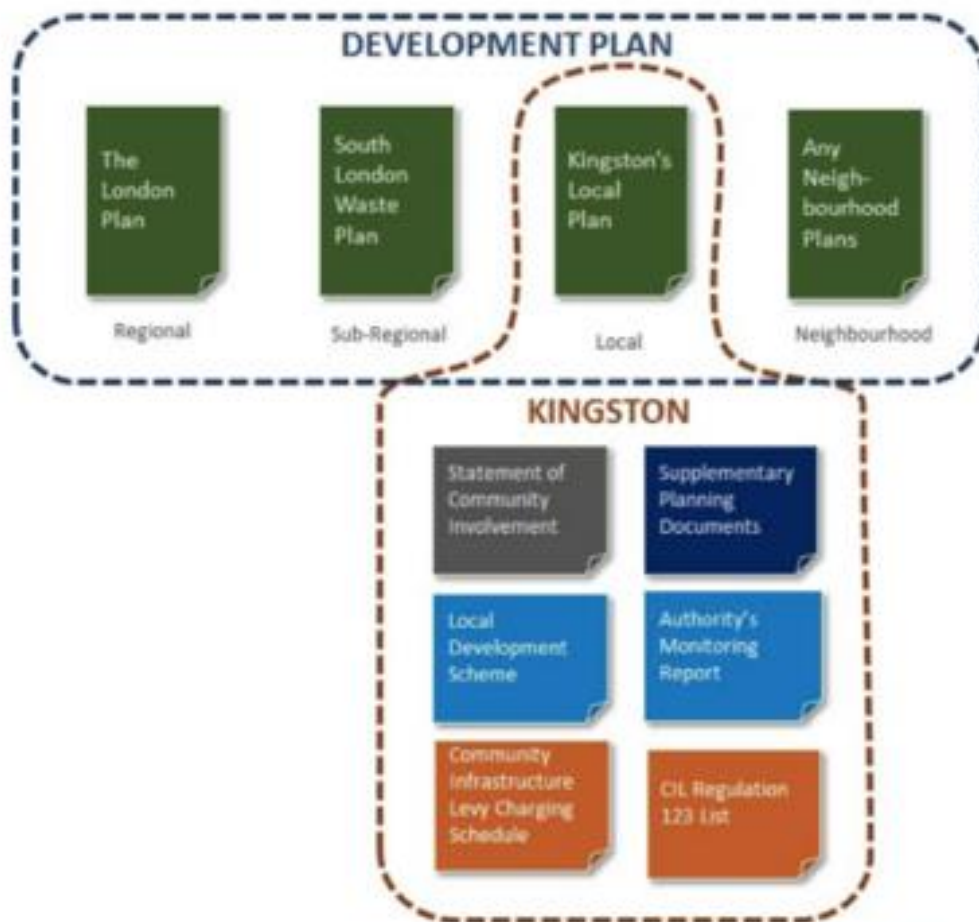
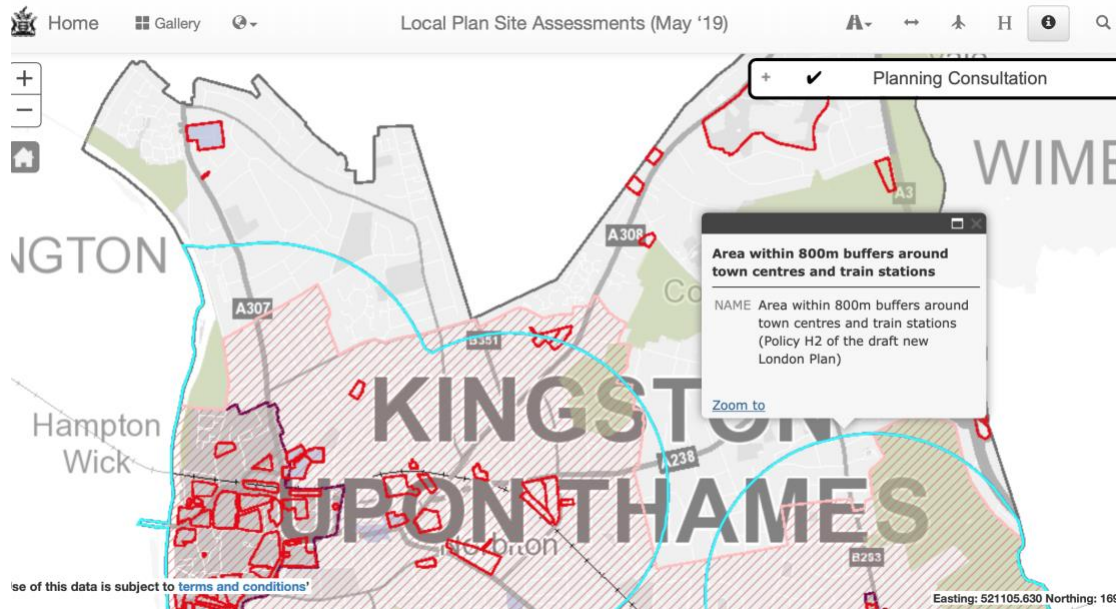


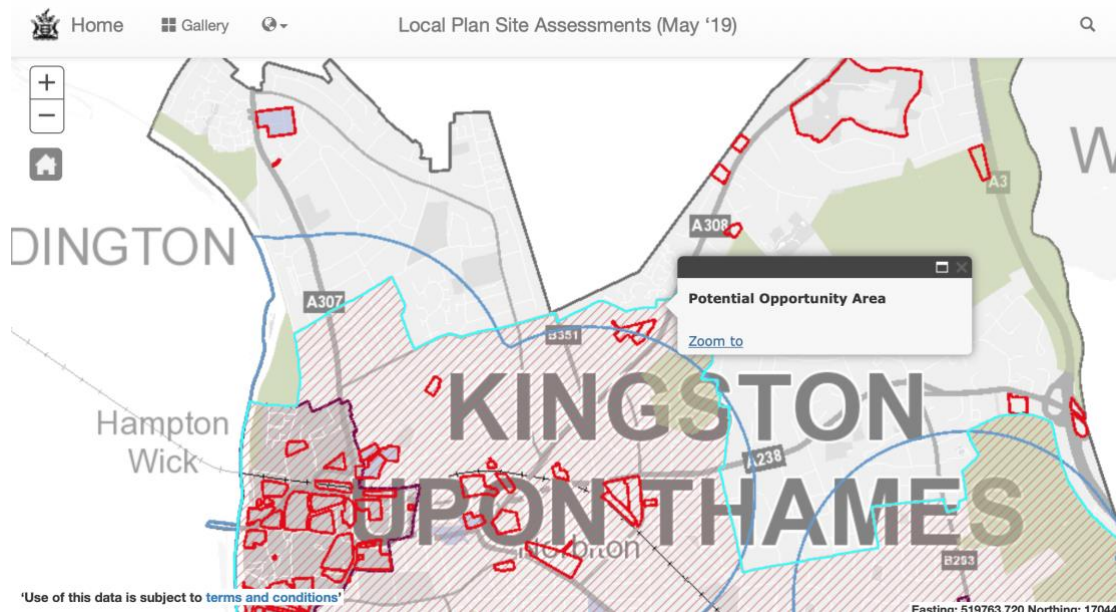
Image Source: RBK

The London Plan

Policy H2 of the new London Plan: Small Sites (below 0.25Ha). The light blue circles are the radii around town centre/transportation hubs. The areas in red are the identified sites for possible redevelopment that came through the council's 'Call for Sites' exercise in 2017.



The potential Opportunity Area will be determined through the emerging Borough-Wide Local Plan (red striped area).



Maps are from RBK's map gallery on the Kingston Council website