



ENGLISH HERITAGE

Penelope Tollit
Head of Policy and Design
Royal Borough of Kensington and Chelsea

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31 January 2013

Dear Penelope Tollitt

**Royal Borough of Kensington and Chelsea – Partial Core Strategy Review:
Basements, Conservation and Character, and Miscellaneous Matters**

Thank you for the opportunity to provide comment on the Royal Borough of Kensington and Chelsea's Partial Review of its Core Strategy (pertaining to the policies on Basements, Conservation and Design, and a range of Miscellaneous Matters). As the Government's adviser on the historic environment, English Heritage is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of local planning.

English Heritage has reviewed the document in light of the National Planning Policy Framework (NPPF), which includes, as one of its core principles, that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Having done this, English Heritage advises that ...

Draft SEA Scoping Report on Miscellaneous Matters

English Heritage is satisfied with the consideration of the historic environment in the Draft SEA Scoping Report on Miscellaneous Matters.

Miscellaneous Matters

English Heritage is content that the majority of the alterations proposed under 'Miscellaneous Matters' are to update the language of the Local Plan. To this end, we wish to recommend a further adjustment to paragraph 36.3.11 on page 72, regarding heritage conservation and energy efficiency. The reference to 'draft Planning Policy Statement 15' should be removed. We advise that the reference to our guidance *Climate Change and the Historic Environment* (2008) could be replaced with a web link as follows: www.english-heritage.org.uk/your-property/saving-energy/. This link accesses our vast array of guidance on this topic, and provides another link to our further website

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Please note that English Heritage operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available



www.climatechangeandyourhome.org.uk, which is another valuable resource for homeowners interested in balancing these two aspects of sustainable development.

English Heritage advises, in relation to Policy CE7 concerning Contaminated Land (and the justification paragraphs on pages 84 and 85) that archaeology can have a significant role to play in the remediation of such land. As pointed out, in paragraph 36.3.45, contaminated land is part of the legacy of industrial sites in the Royal Borough. English Heritage notes that such sites have other valuable legacies to offer in archaeological form and, on occasion, the contaminated land itself may have archaeological value. English Heritage's main concern is that the processes for the remediation of contaminated land incorporate archaeological issues appropriately.

English Heritage notes the definition of 'listed building' in the glossary of the local plan. We consider that this now seems unusual in the context of the NPPF's preference for 'heritage assets' and would recommend that this term also be included in the glossary (assuming its use elsewhere in the document).

Draft Policy Consultation on Conservation and Design

The majority of additions and alterations serve to clarify and provide greater context to a robust policy framework. However, there are a number of statements and policies which we consider would benefit from clarification or further explanation.

Paragraph 33.4.3 regarding the 2012 Streetscape Guide 33.4.3, we would recommend substituting *explains* or *defines* instead of the guide *introduces* the concept of streetscape.

Paragraph 34.3.25 regarding Conservation Areas and Historic Spaces, is unclear. We assume this paragraph is intended to state: Proposals for the partial or full demolition of structures requires very careful and consideration. Where a justification for the loss is demonstrated careful consideration will be given in assessing the appropriateness of the replacement structure. Owners of development sites may be tempted allow these to fall into disrepair as a justification for partial or full demolition. Where this is the case, and repair is no longer feasible, a replacement replica may be required.

Paragraph 34.3.27 is repeated as 34.3.29 and should be deleted.

Paragraph 34.3.31 we would recommend that this is amended to "Listed buildings are in the *great majority of instances* best used for their original purpose". This acknowledges that some historic functions are no longer viable or practicable.

Paragraph 34.3.54 regarding Existing Buildings – Extensions and Modifications states "Side extensions may have an unfortunate effect in closing an unintentional or unintentional townscape gap...". We assume one of these should read "intentional".

Paragraph 34.3.58 regarding Shopfronts would benefit from strengthening. The retention of original/or significant shopfront elements are likely to contribute to the character of any building indentified as a heritage asset. We would recommend *can contribute* is replaced by *are often integral*.

Policy CL12 a.ii regarding Building Heights requires clarification. We would recommend this is amended to “a varied roofscape in larger developments, *where appropriate*. To better reflect the guidance set out in paragraph 34.3.71. In addition Policy CL12 a.iii is not clear. We would recommend that this is amended to read “New local landmarks which exceed the prevailing building height should be wholly exceptional and clearly justified by their context”.

Draft Policy Consultation on Basements

Policy CL7d states that “The scheme must not cause substantial harm to heritage assets”.

The phrase “substantial harm” reflects the Government’s published National Planning Policy Framework which sets out the considerations which must be taken into account when a development proposal causes “substantial” or “less than substantial harm” to heritage assets. As the proposed policy refers only to substantial harm clarification should be provided in respect of proposals which are considered to cause “less than substantial harm”. We would recommend that this Policy is amended as follows. “The scheme must not cause substantial harm to heritage assets. Where proposals are considered to cause harm that is less than substantial the scheme must demonstrate that the public benefits outweigh any harm to the significance of the heritage asset.”.

It must be noted that this advice is based on the information provided by the Royal Borough and for the avoidance of doubt does not reflect our obligation to advise the Royal Borough on, and potentially object to, any specific development proposal which may subsequently arise from this, or later versions of the Core Strategy, and which may have adverse effects on the environment despite sustainability appraisal.

If you wish to discuss any of the above recommendations please do not hesitate to contact me.

Yours sincerely

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Date: 14 January 2013
Our ref: 72611
Your ref: Partial review of the Core Strategy - Conservation and Design & Miscellaneous Matters



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Dear Ms Tollitt

Planning consultation: Partial review of the Core Strategy - Conservation and Design & Miscellaneous Matters
Location: Royal Borough of Kensington and Chelsea

Thank you for your consultation on the above dated 06 December 2012.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England does not consider that the review above documents poses any likely or significant risk to those features of the natural environment¹ for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of this consultation.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact Francesca Barker on 0300 060 0873.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

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¹ Cases which might affect a SSSI, Natura 2000 site, National Park, Area of Outstanding Natural Beauty or a large population of a protected species and/or cases or generic issues which affect a large suite of sites or may set a precedent and thereby affect a significant quantity of habitat across the country