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**The Royal Borough of Kensington and Chelsea**

**Department of Planning Services**

To: M.J. French  
Director of Planning Services

Ref.: DPS/TP/PP/00/02797

Dear Sir,

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AO ACK
- 5 JAN 2001							
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEEES	

Dept. 705,  
The Town Hall,  
Hornton Street,  
London, W8 7NX.

5/1/2001

**TOWN AND COUNTRY PLANNING ACT 1990**

<p>Proposal Address <u>8 Penzance Place, W11</u></p>	<p>Nature of Proposal <u>Extension to roof to provide studio space</u></p>
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I have inspected the planning application and drawing(s) for the above property and have

**~~NO OBJECTION~~ / OBJECTION \* \*\***

to the submitted proposal

Comment

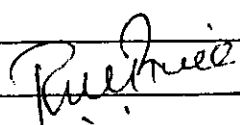
This extra storey will substantially alter the elevations of both Penzance Place & Potter Lane, and will form an unacceptable precedent.

The proposal should therefore be REFUSED.

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AO ACK
- 5 JAN 2001							
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEEES	

Name: Robin M. Rice      pp. Norland Concoction Society

Full Address: 5/7 Pinedale Road  
London W11 4PH

Date: 03-01-01      Signed: 

\* If you wish to object to the proposals, or make any general comments, please give them, in full, in the space above. Any additional comments may be set down on the back of this form.

\*\* Delete where applicable.

## 1.0 THE SITE

- 1.1 The property known as 8 Penzance Place is located in a terrace 2-12 (even) Penzance Place which is located on the East side of Penzance Place, approximately 20 metres from its junction with Pottery Lane and almost opposite the former Public House, the Portland Arms, now known as "Orsemous" restaurant.
- 1.2 The property is a single family dwelling house, comprising a basement and three upper floors, within the Norland Conservation Area. The property is not Listed.

## 2.0 PROPOSAL

- 2.1 Planning Permission is sought to erect a roof addition on the main roof of the property.

## 3.0 PLANNING HISTORY

- 3.1 The Council granted Planning Permission in 1994 for the erection of a basement and ground floor rear addition, basement conservatory and alterations to the roof which included the provision of a staircase housing.
- 3.2 The Council refused Planning Permission for the erection of a two storey rear conservatory in 1995, which was the subject of an appeal to the Planning Inspectorate, who upheld the Council's decision to refuse Planning Permission.
- 3.3 The stairhousing on the roof was constructed in contravention of the drawing approved by the Council, a matter that was drawn to the Council's attention by the applicant. An application to retain the structure was granted planning permission by the Council subject to the rear parapet wall being raised in height.

## 4.0 PLANNING CONSIDERATIONS

- 4.1 The main consideration that has to be addressed when determining the proposal relates to the Council's Policies regarding additional storeys and roof level alterations and the affect such a proposal may have upon the character and appearance of the property, the terrace and the Conservation Area, and on the amenity of neighbouring occupiers.
- 4.2 The proposal seeks to erect an additional storey to the property with a roof terrace area on the front section of the roof. The proposed addition to the roof will extend the full width of the roof and approximately 65% of its depth.

- 4.3 The Council when granting Planning Permission for the erection of the stairhousing did so because it was an alteration which was not considered to be an additional storey but merely a device to allow access to the flat roof.
- 4.4 The roof stairhousing which was approved ensured the height would be to the height of the rear roof parapet wall which measured 1.3 metres in height. The structure was to contain a flat roof which would join the rear parapet wall at an angle of 90 degrees. The stairhousing structure would therefore not be visible from either street level or from the upper floor of neighbouring properties.
- 4.5 The stairhousing structure was not constructed according to the approved drawings and following protracted negotiations the stairhousing structure that had been constructed above the height of the parapet wall was given retrospective Planning Permission as long as the rear parapet wall was raised in height.
- 4.6 The Council addresses the subject of roof alterations and additional storeys in the "Conservation and Development" Chapter of the Unitary Development Plan, with Policy CD38 seeking to resist such alterations and Policy CD39 advising of the limited circumstances where they may be acceptable. Paragraph 4.2 of the "Conservation and Development" Chapter advises that the two Policies should be read as a pair.
- 4.7 The proposed roof addition is considered to be located within a terrace that is broken only by an isolated roof addition and is therefore considered to be contrary to Policy CD38(h).
- 4.8 The Council seeks to maintain and enhance the character and appearance of the Borough and its Conservation Areas, with Policies CD52 and CD53 of the "Conservation and Development" Chapter of the Unitary Development Plan outlining the Council's Policies. The proposed roof addition will be visible from the upper floors of the properties to the rear of Pottery Lane and to the front in Penzance Place and Portland Road. The proposal is considered by virtue of its size, location, bulk and design to be detrimental to the character and appearance of the building, the terrace and the Conservation Area and is therefore contrary to the above mentioned Policies.
- 4.9 It should be stated that this proposal would probably not have been submitted had the Council not consented to the raising of the rear parapet wall as a solution to the applicants problems in relation to the construction of a stairhousing structure that was not built in accordance with the approved drawings as explained in paragraphs 4.3, 4.4 and 4.5 of this report.
- 4.10 The proposal is not considered to harm the amenity of neighbouring occupiers.

**5.0 PUBLIC CONSULTATIONS**

- 5.1 The Council notified 13 addresses of the proposal and to date has received one objection from a resident of Princedale Road who advises that the additional storey will substantially alter the elevation of Penzance Place and will form an unacceptable precedent.

The opinion of the objection is shared by the Council as explained in the main body of this report.

**6.0 RECOMMENDATION**

- 6.1 Refuse planning permission.

**M.J. FRENCH  
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**THE ROYAL  
BOROUGH OF**



BB Partnership,  
The Trafalgar,  
17 Remington Street,  
London,  
N1 8PH.

Switchboard: 020-7937-5464

Direct Line: 020-7361-3654

Extension: 3651

Facsimile: 020-7361-3463

**25 JAN 2001**

**KENSINGTON  
AND CHELSEA**

My Ref: PP/00/02797/CHSE

Please ask for: North Area Team

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT, 1990**

**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988**

**REFUSAL OF PERMISSION TO DEVELOP (DP2)**

The Borough Council in pursuance of their powers under the above mentioned Act and Order, hereby REFUSE to permit the development referred to in the under-mentioned Schedule as shown in the plans submitted. Your attention is drawn to the enclosed Information Sheet.

**SCHEDULE**

**DEVELOPMENT:** Extension to roof to provide studio space.  
**SITE ADDRESS:** 8 Penzance Place, London, W11 4PA  
**RBK&C Drawing Nos:** PP/00/02797  
**Applicant's Drawing Nos:** CEH/R/10, /11, /20/A, and /21/A  
**Application Dated:** 29/11/2000  
**Application Completed:** 05/12/2000

**REASON(S) FOR REFUSAL OF PERMISSION ATTACHED OVERLEAF**

**REASON(S) FOR REFUSAL:**

The proposed roof addition is considered by virtue of its size, bulk, design and location to be detrimental to the character and appearance of the property, the terrace it is located within and the Conservation Area, and therefore is contrary to the Council's Policies which seek to maintain and enhance the character and appearance of the Borough and its Conservation Areas, as stated in the Council's Unitary Development Plan, in particular Policies CD38, CD39, CD52 and CD53.

**INFORMATIVE**

You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD28, CD30, CD38, CD39, CD52 and CD53. (I51)

Yours faithfully,



**Michael J. French**  
Executive Director, Planning and Conservation

APPENDIX SIX

CORRESPONDANCE

Andrew Patterson  
Dept Planning  
RBKC  
Town Hall  
Hornton Street  
Kensington  
London W8

16th May 1994  
CEH

Dear Sir,

8, PENZANCE PLACE, LONDON, W11.

Further to our meeting at your offices on 3rd May, I would like to confirm the following points.

- a) This practice has been appointed as architects for the project, and I would be grateful if you would now alter your files to ensure that all correspondence is directed to us.
- b) Please see enclosed eight sets of revised drawings which take into account the points discussed. They are:
  - 1) Main roof to be flat.
  - 2) Rear extension to be at basement and ground floor.
  - 3) Conservatory to be at basement only. The rear building line has been altered to make it parallel to the main rear wall and it will not be higher than 4.0m above the existing basement ffl.

In addition, I wish you to note the following design alterations which are now included.

- 1) It is agreed to include an access hatch on to the main flat roof. This roof of this will be below the line of the existing rear parapet and it will be clad in lead.
- 2) The ground floor rear window has been widened slightly, to improve the daylighting in the main reception room.



- 3) The front door entrance bridge needs rebuilding, and we have now included a lobby area underneath (as with the adjoining properties in Penzance Place) to give internal access to the vault. This will not be noticeable from the street, and all levels and steps remain as existing.
- 4) We have included an underground (and invisible) garden store to the rear. This will not be higher than the existing garden level.

I trust these points now resolve your concerns over the original proposals, and that you are now able to report to the neighbours that their objections can be removed. Hopefully, the application can now be approved under delegated powers (if, indeed planning permission is actually required).

Needless to say, if you wish to discuss the matter further, do not hesitate to contact me.

Yours sincerely,

Charles R Biss.

cc Dan Jackson  
City Axis

Planning Department  
RBKC  
Town Hall  
Hornton Street  
Kensington  
London W8

18th May 1998  
CEH

Dear Sirs,

**8, PENZANCE PLACE, LONDON, W11.  
REAR ROOF EXTENSION.**

Following our recent conversation with Mr Plaster of the enforcement division, please see enclosed a detailed planning application in respect of the above. Please note that this structure was built some three years ago and the application is made retrospectively.

In dealing with this I would like you to consider the following points:

- a) Approval for an access hatch to the roof terrace has been granted but not in the as built shape.
- b) There are other much larger and more visible access hatches to roof terraces nearby.
- c) The hatch structure is marginally visible from the opposite site of Pottery lane and there is no overlooking either into it or from it.
- d) The hatch structure as built contains a substantial amount of plant etc and it would be a complicated exercise to now move it all.
- e) The materials used in the construction of the hatch structure are sympathetic to the local conservation area.

I look forward to your comments on this matter.

Yours sincerely,

Charles R Biss

copy to Dan Jackson

CEH\RBKC17\NM

23rd February 1999

**Planning Department  
RBK&C  
Town Hall  
Hornton Street  
Kensington  
London W8**

Dear Sir / Madam

**PLANNING APPLICATION FOR RAISED REAR PARAPET - 6 PENZANCE PLACE, LONDON W11.**

Please find enclosed the following in connection with the above;

1. 4 copies of the Planning Application Forms
2. 4 copies of drawings CEH/Z/01, 02 & 03.
3. Cheque in the sum of £95.00 in respect of the application fee.

The proposal is to raise the rear parapet to match that of No. 4 Penzance Place [to the north] and that proposed for No. 8 [to the south] under current application ref. DPS/DCN/TP/98/0932.

I trust the application is complete. Should there be any queries, please do not hesitate to contact BB Partnership.

Yours sincerely,

Charles R Biss

For and on behalf of  
BB Partnership

cc Mr & Mrs Doff - 6 Penzance Place.  
Dan Jackson - 8 Penzance Place.

CEH\RBKC18\cb

24<sup>th</sup> November 2000

Planning Department  
RBK&C  
Town Hall  
Hornton Street  
Kensington  
London W8

Dear Sir / Madam

**8 PENZANCE PLACE, LONDON W11.**

Following your recent granting of detailed planning permission the roof access structure and raising of the rear walls to both 6 and 8 Penzance Place, please now see enclosed our detailed planning application to extend the access structure full width in order to create a room alongside the existing roof terrace.

In dealing with this application, I would like you to consider the following points.

- a) The roof terrace and access structure are existing and have been granted planning permission.
- b) It is established from the recent planning permission that with the raising of the rear elevation brickwork, the roof access structure is invisible and therefore acceptable.
- c) The proposed new structure, by using the same ridge line, will equally not be visible from any part of the street.

I trust the application is complete and I look forward to hearing from you in due course.

Should there be any queries, please do not hesitate to contact BB Partnership.

Yours sincerely,

Charles R Biss

For and on behalf of  
BB Partnership

Copy to: Dan Jackson - 8 Penzance Place.

**WITHOUT PREJUDICE**

8 Penzance Place  
London W11 4PA

10 April 2001

Andrew Patterson  
Planning and Conservation  
Royal Borough of Kensington and Chelsea  
The Town Hall, Hornton Street  
London W8 7NX

Re: PP/00/02797/CHSE; 8 Penzance Place

Dear Mr. Patterson:

I am writing concerning the referenced Refusal of Permission to Develop ("Refusal"). I believe the Refusal is not well founded. In particular, I believe it is not consistent with your prior grant of permission to develop, bearing reference DPS/DCN/TP/98/0932 ("Approval").

The Approval authorised development that remedied an indentation in the rear wall of the terrace existing at both No. 8 and the adjacent No. 6 Penzance Place. This development enhanced the terrace and the area. This was recognised by the Approval's citation of CDs 52, 53 and 56.

The development addressed by the Refusal has been carefully designed to conform to the rear wall authorised by the Approval. Although not visible from the street, the incremental alteration constitutes a further enhancement to the terrace and the area because it will establish a continuous roofline at No. 8. Currently, this roofline is truncated. This truncation would not be remedied by the development authorised in the Approval.

I believe that the Refusal's citation of CDs 52 and 53, which also were cited in the Approval, clearly indicates the need for reconsideration. I further believe that the concerns raised by the Refusal can be addressed by a better understanding of the proposed development. Indeed, I believe that the relevant guidelines would encourage, rather than merely fail to prohibit, the proposal. At the same time, I am willing to accommodate any reasonable concerns whilst implementing the development, if those concerns can be articulated in a sufficiently concrete manner.

With this in mind, I have asked my architect, Charles Biss, to contact Michael French to see if this matter can be resolved in a non-contentious way.

Very truly yours,

Daniel P. Jackson

Cc: Michael J. French, Executive Director, Planning and Conservation  
Charles Biss, BB Partnership



## ANNEX C

## GUIDANCE ON ALTERATIONS TO LISTED BUILDINGS

## GENERAL PRINCIPLES

C.1 These guidelines are concerned principally with works that affect the special interest and character of a building and require listed building consent. The range of listed buildings is so great that they cannot be comprehensive, but they do summarise the characteristics and features which make up the special interest of most listed buildings and which should be given full weight in the process of judging listed building consent applications, alongside other considerations – in particular the importance of keeping listed buildings in viable economic use whenever possible (see paragraphs 3.8 ff). Much of what they advise also applies to repairs; they are not however a manual of repair – for which attention is drawn to *The Repair of Historic Buildings: Advice on Principles and Methods* published by English Heritage.

C.2 Each historic building has its own characteristics which are usually related to an original or subsequent function. These should as far as possible be respected when proposals for alterations are put forward. Marks of special interest appropriate to a particular type of building are not restricted to external elements, but may include anything from the orientation, the plan or the arrangement of window openings to small internal fittings. Local planning authorities should attempt to retain the characteristics of distinct types of building, especially those that are particular to their area. The use of appropriate local materials is very desirable. Local planning authorities should encourage their production, and may wish to build up banks of materials to assist appropriate alteration or repair.

C.3 Alterations should be based on a proper understanding of the structure. Some listed buildings may suffer from structural defects arising from their age, methods of construction or past use, but can still give adequate service provided they are not subject to major disturbance. Repairs should usually be low-key, re-instating or strengthening the structure only where appropriate; such repairs may sometimes require listed building consent. New work should be fitted to the old to ensure the survival of as much historic fabric as is practical. Old work should not be sacrificed merely to accommodate the new.

C.4 Information about the history and development of a building will be of value when considering proposed alterations. This may be gained from the physical evidence in the building itself – ghosts of lost features in plaster, rough edges where features have been cut away, empty peg-holes and mortices – which can elucidate the original form or construction. There may also be documentary information, such as early photographs, drawings, written descriptions, or other documents relating to its construction or use.

C.5 Subsequent additions to historic buildings, including minor accretions such as conservatories, porches, balconies, verandas, door dressings, bargeboards or chimneys, do not necessarily detract from the quality of a building. They are often of interest in their own right as part of the building's organic history. Generally, later features of interest should not be removed merely to restore a building to an earlier form.

C.6 In general the wholesale reinstatement of lost, destroyed or superseded elements of a building or an interior is not appropriate, although, where a building has largely retained the integrity of its design, the reinstatement of lost or destroyed elements of that design could be considered. In such cases there should always be adequate information confirming the detailed historical authenticity of the work proposed. Speculative reconstruction should be avoided, as should the reinstatement of features that were deliberately superseded by later historic additions.

C.7 Modern extensions should not dominate the existing building in either scale, material or situation. There will always be some historic buildings where any extensions would be damaging and should not be permitted. Successful extensions require the application of an intimate knowledge of the building type that is being extended together with a sensitive handling of scale and detail.

## EXTERNAL ELEVATIONS

C.8 **Walls** Walls are the main structural fabric of a building. Alterations to wall surfaces are usually the most damaging that can be made to the overall appearance of a historic building. Alterations or repairs to external elevations should respect the existing fabric and match it in materials, texture, quality and colour. Brick or stonework should not normally be rendered unless the surface was rendered originally. It may be necessary to remove more recently applied render if this is damaging the surface beneath. Every effort should be made to retain or re-use facing brickwork, flintwork, stonework,

located in stronger areas such as  
 streets. The preservation of facades alone,  
 gutting and reconstruction of interiors,  
 is usually an acceptable approach to the re-  
 listed buildings: it can destroy much of a  
 building's special interest and create problems  
 of long-term stability of the structure.

3.19 Where proposed works would result in  
 the total or substantial demolition of the listed  
 building, or any significant part of it, the  
 Secretaries of State would expect the authority,  
 in addition to the general considerations set out  
 in paragraph 3.5 above, to address the following  
 considerations:

CONSIDERATIONS

While it is an objective of Government  
 to secure the preservation of historic  
 buildings, there will very occasionally be cases  
 where demolition is unavoidable. Listed building  
 consent should ensure that proposals for demolition are  
 scrutinised before any decision is reached.  
 Controls have been successful in recent  
 years in keeping the number of total demolitions  
 low. The destruction of historic buildings is  
 very seldom necessary for reasons of good  
 design. More often it is the result of neglect, or  
 a failure to make imaginative efforts to find new  
 uses for them or to incorporate them into new  
 developments.

There are many outstanding buildings for  
 which in practice almost inconceivable that  
 consent for demolition would ever be granted.  
 Demolition of any Grade I or Grade II\*  
 building should be wholly exceptional and  
 should require the strongest justification.  
 In such cases, the Secretaries of State would not  
 give consent to be given for the total or  
 substantial demolition of any listed building  
 without clear and convincing evidence that all  
 possible efforts have been made to sustain  
 the building in its present uses or find viable new uses, and these  
 efforts have failed; that preservation in some  
 form of charitable or community ownership is  
 possible or suitable (see paragraph 3.11); or  
 that redevelopment would produce substantial  
 benefits for the community which would  
 clearly outweigh the loss resulting from  
 demolition. The Secretaries of State would not  
 give consent to demolition to be given simply  
 because redevelopment is economically more  
 attractive to the developer than repair and re-use  
 of the historic building, or because the developer  
 offered the building at a price that reflected the  
 potential for redevelopment rather than the  
 condition and constraints of the existing historic  
 building.

Where proposed works would not result  
 in total or substantial demolition of the listed  
 building or any significant part of it, the  
 Secretaries of State would expect the local  
 planning authority to address the same  
 considerations as it would in relation to an  
 application in respect of alterations or extensions  
 (paragraphs 3.12 to 3.15 above).

- i. the condition of the building, the cost  
 of repairing and maintaining it in  
 relation to its importance and to the  
 value derived from its continued use.  
 Any such assessment should be based  
 on consistent and long-term  
 assumptions. Less favourable levels of  
 rents and yields cannot automatically  
 be assumed for historic buildings.  
 Also, they may offer proven technical  
 performance, physical attractiveness  
 and functional spaces that, in an age of  
 rapid change, may outlast the short-  
 lived and inflexible technical  
 specifications that have sometimes  
 shaped new developments. Any  
 assessment should also take account of  
 the possibility of tax allowances and  
 exemptions and of grants from public  
 or charitable sources. In the rare cases  
 where it is clear that a building has  
 been deliberately neglected in the hope  
 of obtaining consent for demolition,  
 less weight should be given to the costs  
 of repair;
- ii. the adequacy of efforts made to retain  
 the building in use. The Secretaries of  
 State would not expect listed building  
 consent to be granted for demolition  
 unless the authority (or where  
 appropriate the Secretary of State  
 himself) is satisfied that real efforts  
 have been made without success to  
 continue the present use or to find  
 compatible alternative uses for the  
 building. This should include the offer  
 of the unrestricted freehold of the  
 building on the open market at a  
 realistic price reflecting the building's  
 condition (the offer of a lease only, or  
 the imposition of restrictive covenants,  
 would normally reduce the chances of  
 finding a new use for the building);
- iii. the merits of alternative proposals for  
 the site. Whilst these are a material  
 consideration, the Secretaries of State  
 take the view that subjective claims for  
 the architectural merits of proposed  
 replacement buildings should not in  
 themselves be held to justify the  
 demolition of any listed building.  
 There may very exceptionally be cases  
 where the proposed works would bring



that is compatible with the fabric, interior, and setting of the historic building. This may not necessarily be the most profitable use if that would entail more destructive alterations than other viable uses. Where a particular compatible use is to be preferred but restoration for that use is unlikely to be economically viable, grant assistance from the authority, English Heritage or other sources may need to be considered.

3.10 The best use will very often be the use for which the building was originally designed, and the continuation or reinstatement of that use should certainly be the first option when the future of a building is considered. But not all original uses will now be viable or even necessarily appropriate: the nature of uses can change over time, so that in some cases the original use may now be less compatible with the building than an alternative. For example, some business or light industrial uses may now require less damaging alterations to historic farm buildings than some types of modern agricultural operation. Policies for development and listed building controls should recognise the need for flexibility where new uses have to be considered to secure a building's survival.

3.11 If a building is so sensitive that it cannot sustain any alterations to keep it in viable economic use, its future may nevertheless be secured by charitable or community ownership, preserved for its own sake for local people and for the visiting public, where possible with non-destructive opportunity uses such as meeting rooms. Many listed buildings subsist successfully in this way - from the great houses of the National Trust to buildings such as guildhalls, churches and windmills cared for by local authorities or trusts - and this possibility may need to be considered. The Secretaries of State attach particular importance to the activities of the voluntary sector in heritage matters: it is well placed to tap local support, resources and loyalty, and buildings preserved in its care can make a contribution to community life, to local education, and to the local economy.

### Alterations and extensions

3.12 Many listed buildings are already in well-established uses, and any changes need be considered only in this context. But where new uses are proposed, it is important to balance the effect of any changes on the special interest of the listed building against the viability of any proposed use and of alternative, and possibly less damaging, uses. In judging the effect of any alteration or extension it is essential to have assessed the elements that make up the special interest of the building in question. They may comprise not only obvious visual features such

as a decorative facade or, internally, staircases or decorated plaster ceilings, but the spaces and layout of the building and the archaeological or technological interest of the surviving structure and surfaces. These elements are often just as important in simple vernacular and functional buildings as in grander architecture.

3.13 Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest of some buildings, and the merit of some new alterations or additions, especially where they are generated within a secure and committed long-term ownership, should not be discounted. Nevertheless, listed buildings do vary greatly in the extent to which they can accommodate change without loss of special interest. Some may be sensitive even to slight alterations; this is especially true of buildings with important interiors and fittings - not just great houses, but also, for example, chapels with historic fittings or industrial structures with surviving machinery. Some listed buildings are the subject of successive applications for alteration or extension: in such cases it needs to be borne in mind that minor works of indifferent quality, which may seem individually of little importance, can cumulatively be very destructive of a building's special interest.

3.14 As noted above, the listing grade is a material consideration but is not of itself a reliable guide to the sensitivity of a building to alteration or extension. For example, many Grade II buildings are of humble and once common building types and have been listed precisely because they are relatively unaltered examples of a particular building type; so they can as readily have their special interest ruined by unsuitable alteration or extension as can Grade I or II\* structures.

3.15 Achieving a proper balance between the special interest of a listed building and proposals for alterations or extensions is demanding and should always be based on specialist expertise; but it is rarely impossible, if reasonable flexibility and imagination are shown by all parties involved. Thus, a better solution may be possible if a local planning authority is prepared to apply normal development control policies flexibly; or if an applicant is willing to exploit unorthodox spaces rather than set a standardized requirement; or if an architect can respect the structural limitations of a building and abandon conventional design solutions in favour of a more imaginative approach. For example, standard commercial office floor-loadings are rarely needed in all parts of a building, and any unusually heavy loads can often be

impact on the historic environment and give it full weight, alongside other considerations.

## Conservation and economic prosperity

1.4 Though choices sometimes have to be made, conservation and sustainable economic growth are complementary objectives and should not generally be seen as in opposition to one another. Most historic buildings can still be put to good economic use in, for example, commercial or residential occupation. They are a valuable material resource and can contribute to the prosperity of the economy, provided that they are properly maintained: the avoidable loss of fabric through neglect is a waste of economic as well as environmental resources. In return, economic prosperity can secure the continued vitality of conservation areas, and the continued use and maintenance of historic buildings, provided that there is a sufficiently realistic and imaginative approach to their alteration and change of use, to reflect the needs of a rapidly changing world.

1.5 Conservation can itself play a key part in promoting economic prosperity by ensuring that an area offers attractive living and working conditions which will encourage inward investment – environmental quality is increasingly a key factor in many commercial decisions. The historic environment is of particular importance for tourism and leisure, and Government policy encourages the growth and development of tourism in response to the market so long as this is compatible with proper long-term conservation. Further advice on tourist aspects of conservation is given in *PPG 21* and the English Tourist Board's publication *Maintaining the Balance*.

## Stewardship : the role of local authorities and others

1.6 The Government urges local authorities to maintain and strengthen their commitment to stewardship of the historic environment, and to reflect it in their policies and their allocation of resources. It is important that, as planning authorities, they adopt suitable policies in their development plans, and give practical effect to them through their development control decisions. As highway authorities too, their policies and activities should reflect the need to protect the historic environment and to promote sustainable economic growth, for roads can have a particular impact at all levels – not only through strategic decisions on the siting of new roads, but also through the more detailed aspects of road building and road maintenance, such as the quality of street furniture and

surfaces. Above all, local authorities should ensure that they can call on sufficient specialist conservation advice, whether individually or jointly, to inform their decision-making and to assist owners and other members of the public.

1.7 However, the responsibility of stewardship is shared by everyone – not only by central and local government, but also by business, voluntary bodies, churches, and by individual citizens as owners, users and visitors of historic buildings. The historic environment cannot be preserved unless there is broad public support and understanding, and it is a key element of Government policy for conservation that there should be adequate processes of consultation and education to facilitate this.

increasingly rare. Features such as stone flags, ovens, ranges, grates, pantries, wine cellars, strong rooms, and bell indicators all illustrate the character of a past age and should normally be retained.

#### Conversion

The division of a large house into a number of separate units may often be acceptable in principle, but it needs to be planned and carried out with care and sensitivity. The need to preserve the special interest of the interior will influence the number and kinds of units which can be formed. The separation of a basement flat from the remainder of the house will usually be the simplest and generally least disruptive form of subdivision, particularly where the basement can be approached via front area steps. In such cases the internal staircase from the ground floor to basement should usually remain, but should be enclosed to provide effective separation. In listed buildings which retain panelled partitions or fine interiors the scope for conversion may be limited, and the physical implications will need to be assessed before planning permission is granted for any change of use.

- multiple occupation of the house above basement level can lead to a greater degree of disturbance and involve problems of fire protection and sound insulation. These will require detailed resolution at application stage. Upgrading of floors and partitions for fire resistance and acoustic insulation should always avoid conspicuous alteration or loss of original fabric. A fire safety engineering approach may obviate the need for extensive physical alteration. Most panelled doors can be upgraded to improve fire resistance by applying sheet materials sensitively to one face, but retaining the panelled appearance. Works to upgrade the fire resistance of separating floors and walls are also likely to achieve normal requirements for airborne sound. Impact sound transmission can usually be resolved by the use of thick underlay and carpet.

- lateral conversion of two or more houses is normally unacceptable, particularly where this involves the removal of staircases or the plan form of principal rooms, but a simple door opening between adjacent buildings in areas of limited interest is often acceptable as a means of reconciling functional requirements with the integrity of individual houses.

- openings between front and rear rooms are sometimes possible to meet modern requirements providing these are treated sensitively as archways, retaining substantial nibs of the existing wall.

- the principal and secondary staircases and chimney breasts are vital parts of the character and plan form of most domestic listed buildings and should be kept. Similarly, other elements such as internal doors and doorcases should be retained, even if redundant and fixed shut.

- where permitted, new internal walls and partitions should be scribed around existing mouldings or details to permit reinstatement at a later date.

- original ornamental features such as panelling, shutters, architraves, skirtings, dados, panelled doors, door furniture, mouldings, cornices, decorative plasterwork, and chimney pieces of all types are essential parts of the domestic character of most buildings. They should always be carefully protected and restored or, where damaged, reinstated. A separate English Heritage leaflet *Georgian joinery, 1660-1840* is available on the history, design, and conservation of interior woodwork in Georgian houses.

- in some listed buildings colour schemes and lighting are important elements of the total character. These aspects may require detailed discussion and specialist advice.

#### Services

In general, kitchens, bathrooms, and modern services should be

confined to rear rooms, or areas of lesser importance. In larger houses these can often be designed as free-standing elements of furniture within the room, thereby minimising the impact on the overall proportion and on any architectural features. Running vertical ducts or conduits through major rooms and entrance halls should be avoided because of the potential damage to cornices and other decorative features. Pipework should be run to the rear of the building, preferably within the floor void, and unobtrusively routed down the rear elevation. Where this is not feasible it is sometimes possible to conceal vertical ducts within voids, cupboards or staircase compartments, chased into the wall.

#### Security

Particular care should be exercised when buildings are vacant or under refurbishment to prevent damage or theft of architectural features. Vulnerable items such as chimney pieces or stained glass should be insured, photographed, protected, security marked, and, where appropriate, wired to an alarm system.

#### Extensions

Many owners want to improve their property by adding bathrooms or modern services, or by extending at the rear, side or roof level. The balance between preservation and change may not always be easy to strike. The aim should be to minimise the impact on the building while helping the owner to adapt the property to suit reasonable needs.

Extensions should never dominate the parent building in bulk, scale, materials or design. The most appropriate solution will normally be to use a traditional design employing the existing architectural vocabulary of the parent building to ensure that the new work is integrated harmoniously with the character of the building as a whole. However, there may be some occasions where a more modern design approach may be acceptable. Early guidance from the local planning authority is essential.



## **3 CONTROL OF DEVELOPMENT**

**3.1** The policies below apply in all parts of the Borough.

### Standards of Design

**3.2** The Council is concerned that the quality of architectural design of development in all areas of the Borough should be of a high standard. Development may also provide opportunities for environmental benefits such as sitting-out, sports or landscaped areas.

**CD25** TO SEEK THAT ALL DEVELOPMENT IN ANY PART OF THE BOROUGH IS TO A HIGH STANDARD OF DESIGN AND IS SENSITIVE TO AND COMPATIBLE WITH THE SCALE, HEIGHT, BULK AND CHARACTER OF THE SURROUNDINGS.

### Infill Development

**3.3** Infill development is more common than large-scale redevelopment in the Borough. If sensitively handled it may reinforce local character. Its form should therefore largely be determined by its townscape context. Local height, bulk, scale, building lines and materials should be carefully considered in developing appropriate designs.

**CD26** TO REQUIRE INFILL DEVELOPMENT TO:

- (a) CONFORM TO THE EXISTING BUILDING LINES AND OVERALL SCALE AND CHARACTER OF THE AREA;
- (b) HAVE RESPECT TO THE FORM AND MATERIALS OF ADJOINING BUILDINGS; AND
- (c) HAVE REGARD TO OPEN SPACES WHICH ARE IMPORTANT TO THE PROPOSED DEVELOPMENT AND THE SURROUNDING AREA.

### Backland Development

**3.4** The development of 'backland' sites, that is, the gardens or open land behind buildings, is inevitably difficult to achieve successfully. Access is a major problem and the amenities of adjoining properties need to be protected. The open and landscaped character of the land may be detrimentally affected.

**CD27** TO RESIST THE DEVELOPMENT OF BACKLAND SITES IF:

- (a) THERE WOULD BE INADEQUATE VEHICULAR ACCESS, OR
- (b) THE AMENITY OF ADJOINING PROPERTIES WOULD BE ADVERSELY AFFECTED, OR
- (c) THERE WOULD BE A LOSS OF OPEN SPACE, OR
- (d) THE CHARACTER OF THE AREA WOULD BE HARMED.

## **4 ALTERATIONS AND EXTENSIONS TO BUILDINGS**

- 4.1** The majority of planning applications received by the Borough are for alterations and extensions to buildings. This section sets out the policies which will be applied when considering such applications. These policies apply in addition to those in the "Control of Development" Section.

### Additional Storeys and Roof Level Alterations

(See also Views and Vistas and High Buildings).

- 4.2** Additional storeys and roof level alterations will very often have an adverse effect on the character and appearance of buildings, on the skyline and may conflict with policies relating to car parking. Such proposals will, therefore, be judged in relation to:
- (a) their effect upon the character of the street or terrace, the skyline as seen from neighbouring houses and streets, and daylighting and sunlighting to neighbouring houses and gardens; and
  - (b) the design relationship of any additional storey to the building.

The Council's policies on additional storeys and roof level alterations are generally restrictive and CD38 indicates those circumstances in which planning permission will be refused. CD39 gives the limited circumstances in which permission may be granted. Policies CD38 and CD39 should therefore be read as a pair.

**CD38** NORMALLY TO RESIST ADDITIONAL STOREYS AND ROOF LEVEL ALTERATIONS ON:

- (a) COMPLETE TERRACES OR GROUPS OF BUILDINGS WHERE THE EXISTING ROOF LINE IS UNIMPAIRED BY EXTENSIONS, EVEN WHEN A PROPOSAL INVOLVES ADDING TO THE WHOLE TERRACE OR GROUP AS A CO-ORDINATED DESIGN;
- (b) BUILDINGS OR TERRACES THAT ALREADY HAVE AN ADDITIONAL STOREY OR MANSARD;
- (c) BUILDINGS THAT INCLUDE A ROOF STRUCTURE OR FORM OF HISTORIC OR ARCHITECTURAL INTEREST;
- (d) BUILDINGS WHICH ARE HIGHER THAN SURROUNDING NEIGHBOURS;
- (e) BUILDINGS OR TERRACES WHERE THE ROOF LINE OR PARTY WALLS ARE EXPOSED TO LONG VIEWS FROM PUBLIC SPACES, AND WHERE THEY WOULD HAVE AN INTRUSIVE IMPACT ON THAT VIEW OR WOULD IMPEDE THE VIEW OF AN IMPORTANT BUILDING OR OPEN SPACE BEYOND;
- (f) BUILDINGS WHICH, BY THE NATURE OF THE ROOF CONSTRUCTION AND ARCHITECTURAL STYLE ARE UNSUITABLE FOR ROOF ADDITIONS, E.G. PITCHED ROOFS WITH EAVES;

- (g) MANSION BLOCKS OF FLATS WHERE AN ADDITIONAL STOREY WOULD ADD SIGNIFICANTLY TO THE BULK OR UNBALANCE THE ARCHITECTURAL COMPOSITION;
- (h) TERRACES WHICH ARE ALREADY BROKEN ONLY BY ISOLATED ROOF ADDITIONS.

**4.3** Terraces that change their architectural style, character or height but are joined are considered as separate terraces. Roof extensions on one are not regarded as precedents for the adjoining terrace.

**CD39** NORMALLY TO PERMIT ADDITIONAL STOREYS AND ROOF LEVEL ALTERATIONS IN THE FOLLOWING CIRCUMSTANCES:

- (a) WHERE THE CHARACTER OF A TERRACE OR GROUP OF PROPERTIES HAS BEEN SEVERELY COMPROMISED BY A VARIETY OF ROOF EXTENSIONS AND WHERE INFILLING BETWEEN THEM WOULD HELP TO RE-UNITE THE GROUP; AND
- (b) THE ALTERATIONS ARE ARCHITECTURALLY SYMPATHETIC TO THE AGE AND CHARACTER OF THE BUILDING.

**4.4** The Council will continue to produce detailed non-statutory guidance on roof additions and alterations in Conservation Area Proposals Statements and other reports.

**4.5** Principles for the design of roof additions are illustrated in Figures 2.6 and 2.7 in the Planning Standards Chapter.

## Roof Terraces

**4.6** Terraces on roofs of main buildings or extensions can provide a valuable small area of open space for residents. They can also result in serious intrusion into the privacy and quiet enjoyment of neighbouring residential properties, and be visually intrusive. It is normally inappropriate to set back a mansard roof to provide a terrace.

**CD40** TO RESIST THE INTRODUCTION OF ROOF TERRACES IF:

- (a) SIGNIFICANT OVERLOOKING OF, OR DISTURBANCE TO, NEIGHBOURING PROPERTIES OR GARDENS WOULD RESULT; OR
- (b) ANY ACCOMPANYING ALTERATIONS OR ROOF ALTERATIONS ARE NOT TO A SATISFACTORY DESIGN, WOULD BE VISUALLY INTRUSIVE OR WOULD HARM THE STREET SCENE.

**4.7** Account will be taken of whether the residential unit has access to any other amenity space.

- 5.6** The Council will support the improvement of the environment of conservation areas through street works and the upkeep of open spaces. Many conservation areas are cluttered by street furniture such as lamp-posts and signs and, where possible, the Council will reduce unnecessary elements. The Council will pay particular attention to the design and location of street furniture in conservation areas.

## Demolition

- 5.7** The architectural quality of a building and its contribution to the character and appearance of a conservation area may be severely compromised by partial demolition, and this will be taken into account when the Council considers any proposals. It is considered that a building's contribution to the character of a conservation area stems not only from its street frontage but also the side and rear elevations. The historic plan form and integrity of the buildings also make a significant contribution to the character of the conservation areas. Redevelopment behind a retained front facade therefore is generally not acceptable.

**CD51** TO RESIST DEMOLITION OR PARTIAL DEMOLITION OF BUILDINGS IN CONSERVATION AREAS UNLESS:

- (a) THE BUILDING OR PART OF THE BUILDING STRUCTURE MAKES NO POSITIVE CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF THE AREA; OR
- (b) THE CONDITION OF THE BUILDING IS PROVED TO BE SUCH THAT REFURBISHMENT IS NOT POSSIBLE; AND
- (c) A SATISFACTORY SCHEME FOR REDEVELOPMENT HAS BEEN APPROVED.

- 5.8** Any consent for demolition will normally be subject to a condition that the building shall not be demolished until a contract for new work has been made.

## Development in Conservation Areas

- 5.9** The Borough contains some of the best examples of Victorian and Edwardian townscape in London. Overall, the residential environment is of the highest quality. The Council, therefore, will seek to protect or enhance this through the control of development in conservation areas. In exercising such control, careful regard will be had to the content of Conservation Area Proposals Statements.

**CD52** TO ENSURE THAT ANY DEVELOPMENT IN A CONSERVATION AREA PRESERVES OR ENHANCES THE CHARACTER OR APPEARANCE OF THE AREA.



**CD53** TO ENSURE THAT ALL DEVELOPMENT IN CONSERVATION AREAS IS TO A HIGH STANDARD OF DESIGN AND IS COMPATIBLE WITH:

- (a) CHARACTER, SCALE AND PATTERN;
  - (b) BULK AND HEIGHT;
  - (c) PROPORTION AND RHYTHM;
  - (d) ROOFSCAPE;
  - (e) MATERIALS;
  - (f) LANDSCAPING AND BOUNDARY TREATMENT;
- OF SURROUNDING DEVELOPMENT.

**CD54** TO CONSIDER THE EFFECT OF PROPOSALS ON VIEWS IDENTIFIED IN THE COUNCIL'S CONSERVATION AREA PROPOSALS STATEMENTS, AND GENERALLY WITHIN, INTO, AND OUT OF CONSERVATION AREAS, AND THE EFFECT OF DEVELOPMENT ON SITES ADJACENT TO SUCH AREAS.

**5.10** In order for the Council to consider fully and in detail any proposals for new buildings, alterations, or extensions which will affect the character or appearance of a conservation area, sufficient information must be supplied with any planning application.

**CD55** NORMALLY TO REQUIRE FULL PLANNING APPLICATIONS IN CONSERVATION AREAS.

**5.11** The other policies in this chapter will be rigorously applied in conservation areas.

**5.12** In applying these policies, the Council will consider not only the street scene, but views at the rear from other buildings and gardens, as these are also important to residents' amenities.

**5.13** The Council will be particularly attentive to those unsympathetic small-scale developments and extensions, the significance of which lies in the incremental and cumulative effects which can so easily be detrimental to the local environment.

**CD56** NORMALLY TO RESIST UNSYMPATHETIC SMALL-SCALE DEVELOPMENTS WHERE THE CUMULATIVE EFFECT OF A NUMBER OF SIMILAR PROPOSALS WOULD BE DETRIMENTAL TO THE CHARACTER OF THE AREA.

**5.14** In dealing with applications for alterations and extensions, the Council will seek to enhance buildings by encouraging the reinstatement of missing architectural features.