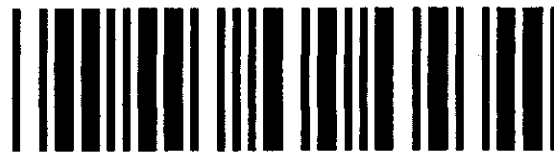
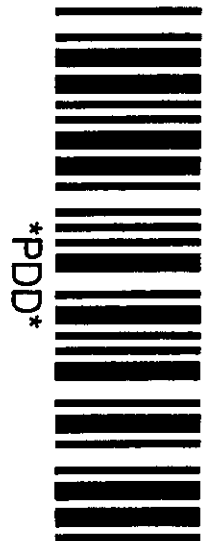


**ROYAL BOROUGH
OF
KENSINGTON & CHELSEA**

DOCUMENT SEPARATOR

DOCUMENT TYPE:

POST DECISION DOCUMENT SUBMITTED



PDD

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TRANSPORTATION PROOF: 7 SWANSCOMBE ROAD (02/901) APPEAL W.REPS.

The transportation reasons for refusal were that it has "a parking provision falling short of Unitary Development Plan guidelines, and in consequence be contrary to Policies H11, H12 and TR46 of the Unitary Development Plan (as Modified)".

The Appellants' comments on the reasons for refusal

In Para 9.3 of the Appellants' Statement of Case they state that the provision of 11 spaces complies with Policy TR46, however this is refuted below on the grounds that this is inadequate for an area identified in the UDP as having poor accessibility by public transport compared to the rest of the Royal Borough.

Furthermore, in Para 9.5 the Appellant states that the scheme complies with Government Guidance. The Council maintains its reasons for refusal comply.

The Government's aim with PPG3 (Housing) is to promote more sustainable patterns of development and make better use of previously developed land. PPG3 advises that local authorities "should therefore seek to exploit opportunities to locate larger housing developments around major nodes along good quality public transport corridors....and seek to ensure that all housing developments are accessible by a range of non-car modes" (Paragraph 47). This site, as mentioned above, is not in a good quality public transport corridor and the proposal is contrary to UDP policy, which has been adopted since PPGs 3 & 13 were published.

No reference is made to PPG13 (Transport), however it is worth noting that the Guidance is intended to deter the use of, and not the ownership of, private cars. The Royal Borough supports this and has numerous policies in place to achieve this. The Council requires housing developments to provide adequate car parking in order to ensure that the development does not contribute to unacceptable levels of on-street parking stress within the Royal Borough.

The continued provision of residential developments with reduced or no off-street car parking, in poorly-accessible areas in the Royal Borough or in areas with high levels of car ownership would result in increased levels of parking stress and a corresponding deterioration in road safety.

Accessibility & shortfall of off-street spaces

The development is proposed within an area identified in the UDP (Map 11) as being of "poor accessibility" in terms of public transport, which the Director of Transportation and Highways advises increases emphasis on the need to provide adequate off street parking. A total of only 11 off street spaces are included with the proposals, including one disabled space.

(281)

The revised Policy TR46 requires a *maximum* of 2 spaces for every 3 affordable dwellings, with 1 space for each market unit proposed. To provide the UDP maximum, therefore, *the proposal would need to include a total of 14 parking spaces*, including the disabled spaces.

Parking stress is unacceptable (at or above 90%) over large areas of the Royal Borough and there is an overall shortfall of on-street spaces to permits issued (46,000 permits to 26,500 spaces).

A shortfall of off-street spaces is particularly unacceptable when there is little alternative public transport available. This lack of alternative underlines why adequate parking in this location should equate to the *maximum* standards.

Ratio of Residents' parking permits to on-street parking bays.

An analysis of the Resident Permit database shows that practically every house in the locality (not including those in L.B. Hammersmith and Fulham) contains one or more permit holders (see Plan of area, Appendix xx). Along the streets outlined – judged to be those streets most likely to be searched for parking spaces by residents of the proposed development- there are 767 issued and 510 residents' bays. Allowing this development with its off-street parking shortfall would further increase this imbalance between permits and spaces in the ward which would be contrary to the Council's transportation aims, as exemplified in TR39 and TR46.

Survey evidence shows that night-time parking occupancy in the local area (a good proxy for car ownership as only resident cars remain in the vicinity) was 81% in 1996. It should be noted that even bay occupancy rates of 80-90% can provide difficulties to residents as they would still need to make fairly extensive 'search loops' to find a space. Furthermore, with car ownership rates increasing across the Borough, it is likely that this level has since risen; to permit this development with its parking shortfall would only exacerbate this.

Reducing the impact of the shortfall of off-street parking measures.

Paragraph 7.6.16b of the UDP advises that

"In circumstances when no, or reduced off-street parking is proposed the Council will wish to ensure that such development does not generate unacceptable levels of on-street parking demand or exacerbate already severe problems of restricted on-street provision. When a residential development is proposed with no on-site parking, adequate means must be agreed with the Council to avoid any increase in on-street parking demand resulting from the development....The Council will resist inappropriate development unless means can be agreed to avoid any increase in on-street parking demand."

In addition paragraph 7.6.16 provides flexibility when an underground car park is required and the cost proves to be prohibitive. This allows the maximum standard to be exceeded so long as the additional spaces are made available to local residents.

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In conclusion, this development is unacceptable in its shortfall of off-street parking and will therefore have a negative material impact on parking, traffic, road safety and the environment. The Inspector is respectfully asked to dismiss the appeal.

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**THE ROYAL BOROUGH OF
KENSINGTON & CHELSEA**

7 SWANSCOMBE ROAD

W11

Written Representations by the Royal Borough of Kensington & Chelsea, relating to the appeal by Notting Hill Home Ownership, under Section 78 of the Town and Country Planning Act 1990, against this Council's refusal of planning permission for construction of 17 residential units with associated landscaping and parking

DoE ref. APP/K5600/A/02/1104579

LPA ref. PP/02/0901

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2. **Summary of the development to which the appeal relates**
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7. **Public Consultation**
8. **Conclusions**

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Appendices

- 1) **Location Map, including Conservation Area boundary and Borough boundary**
- 2) **Application forms**
- 3) **Officers' Report to Planning Services Committee 23rd July 2002**
- 4) **Addendum Report presented to the Planning Services Committee on 3rd September 2002**
- 5) **Notice of Refusal dated 15th October 2002**
- 6) **Area of Analysis of Residents Parking Permits**

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1.0 SITE DESCRIPTION

- 1.1 This site of 859 sq.m is located on the southern side of Swanscombe Road, on the edge of the Royal Borough with the boundary with the London Borough of Hammersmith and Fulham crossing the north-western corner of the site.
- 1.2 A detached part single storey, part two storey public house of utilitarian post-war design stood until recently in the north eastern corner of the site, with open car park and beer garden areas to the side and rear. This has been demolished and the site is now vacant.
- 1.3 The original site was apparently enlarged to incorporate part of the highway when the adjoining section of Norland Road was closed. The adjoining remnant of Norland Road is now a footpath linking the cul-de-sac end of Norland Road's carriageway to Swanscombe Road.
- 1.4 The site's surroundings are of extremely varied character. To the North and West (within Hammersmith and Fulham) are medium and high rise blocks of flats built c.1960-70, with the highest of these forming a very dominant visual influence and powerful backdrop in the vicinity. To the south is a modern community centre building with pyramid-shaped hipped roof. To the East is the two storey and pitched roofed building at no.3 Swanscombe Road, known as the former organ works or 'The Organ Factory', and now converted to a residential dwelling house. Beyond this, further to the East, are the Grade II Listed Tudor/Gothic style houses of St. Ann's Villas. The area can thus be described as of mixed character.
- 1.5 The site is within the Norland Conservation Area, the boundary of which runs around the site boundary to the North and West.
- 1.6 A location plan is included at **Appendix (1)**. This includes the Borough boundary in red, and the Norland Conservation Area boundary in green. It will be noted that the appellants Site Plan 0112-P-GA01 also shows the Site and Borough boundaries clearly.

2.0 SUMMARY OF THE DEVELOPMENT TO WHICH THE APPEAL RELATES

- 2.1 This appeal is lodged under Section 78 of the Town and Country Planning Act 1990 (as amended) against the decision of the Royal Borough to grant planning permission for Construction of residential development of 17 residential units comprising one, two and three bed units and provision for 11 off-street parking spaces, including 11 units of affordable housing.
- 2.2 Two Reasons for Refusal are stated (**Appendix 5**). These are:

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Reason for Refusal 1

“The proposed development would be of a scale, bulk and detail that would relate poorly to nearby buildings and property and would harm the character and appearance of this part of the Norland Conservation Area. As such, the proposed development is contrary to Policies CD25, CD26, CD48, CD52 and CD53 of the Unitary Development Plan (as Modified).”

Reason for Refusal 2

“This proposal to provide 17 residential units would produce a development with a habitable room density greatly in excess of Unitary Development Plan guidelines, and a parking provision falling short of Unitary Development Plan guidelines, and in consequence be contrary to Policies H11, H12 and TR46 of the Unitary Development Plan (as Modified).”

- 2.3 It is proposed to erect a five storey block containing 17 self-contained flats of which 11 would be affordable units and 6 would be units for private sale. This forms a variation and expansion upon a three storey scheme approved on 23rd June 1999 for eleven flats and two houses but not yet implemented.
- 2.4 The building would be roughly T-shaped on plan, located on the Swanscombe Road and Norland Road frontages. The areas to the side and rear would be used for vehicular access, eleven car parking spaces, private gardens for the three town houses and a communal garden for the flats. All vehicular access would be via two new pavement crossovers from the Swanscombe Road frontage, under an archway to a parking area behind within the site with the exception of three bays accessed directly from Swanscombe Road which would include a dedicated disabled space.
- 2.5 The building is proposed a relatively simple, modern design, influenced more by the 1960's and 1970s appearance of the nearby Woods estate than by the adjacent coach house buildings or the nearby St. Ann's Villas houses. The roof areas would be flat with terraces and simple metal rails, the windows would be powder coated aluminium framed, and the main facing materials would be brick at ground floor level and terracotta tiles and render on the upper floors.
- 2.6 A Planning Obligation under S.106 has been proposed in order to secure the 11 flats as affordable housing, to be run by Notting Hill Home Ownership.

3.0 RELEVANT PLANNING HISTORY

- 3.1 Planning permission was granted on 31st December 1997 for the erection of four houses with off-street car parking. The development was to be of three storeys, in a minimalist contemporary style, and provided 2 x 3 bedroom and 2 x 4 bedroom dwellings with private rear gardens. At the same time, Conservation Area Consent

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was granted for the demolition of the public house, and subsequently implemented. The planning permission has not been implemented.

- 3.2 On 23rd June 1999 planning permission was granted for the erection of a three storey development of 342 hrh, comprising eleven flats (affordable housing units) and two houses in a fairly modern architectural style but with pitched roofs, subject to a Planning Obligation under s.106. This planning permission is still valid, but not implemented.
- 3.3 On 19th April 2002 an application for planning permission (2) was made by Notting Hill Home Ownership, for the erection of 17 flats together with car parking and landscaping. This application was recommended by Officers for conditional approval and presented to the Planning services Committee on 23rd July 2002 (3). The Committee considered the various points made in the Officers report both for and against the proposal, but they considered that Officers had not weighed the various considerations correctly and concluded that planning permission should be refused unless amendments were sought including a reduction in the scale of the development. They deferred the application with the instruction to Officers to negotiate with the applicants to seek such a reduction. The applicants declined to do this because of the impact any significant reduction would have upon the viability of the development, and the application was finally refused by the Planning Services Committee on 3rd September 2002. The Addendum Report prepared for that Committee is included as **Appendix (4)**.
- 3.4 The Notice of Refusal of planning permission, dated 15th October 2002 is included at **Appendix (5)**.

4.0 PLANNING POLICY BACKGROUND

- 4.1 The Unitary Development Plan (the UDP) for the Royal Borough, was formally adopted on 28th August 1995, as the Statutory Plan for the Borough for the next ten years. The UDP is the Development Plan for the Borough for the purposes of Section 54A of the Town and Country Planning Act 1990, as amended.
- 4.2 The Unitary Development Plan has recently undergone it's mid-term review. The Proposed Alterations to the Unitary Development Plan were examined at a Public Inquiry in January 2001, the Inspector's Report regarding the various alterations was received in July 2001, the response to that Report Deposited in February 2002, and the Modifications to the UDP formally adopted by the Council in May 2002.
- 4.3 The Unitary Development Plan policies set out or otherwise referred to in this are, therefore, the up to date development plan policies for the purposes of S.54A of the Town and Country Planning Act 1990 and the appropriate weight should be accorded to them.

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4.4 The relevant planning policies to this appeal are contained within the 'Housing', and 'Transportation' Chapters of the UDP. It is considered that the following Policies are of particular relevance to this appeal in that they are those specified in the Council's stated Reasons for Refusal: CD25, CD26, CD48, CD52, CD53, H11, H12, and TR46. The relevant policies are set out below in full in their current, adopted form.

4.5 Policy CD25 is:

TO ENSURE 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

4.6 Policy CD26 is:

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.

4.7 Policy CD28 is:

TO RESIST DEVELOPMENT WHICH SIGNIFICANTLY REDUCES SUNLIGHT OR DAYLIGHT ENJOYED BY EXISTING ADJOINING BUILDINGS AND AMENITY SPACES.

4.8 Policy CD48 is:

TO PAY SPECIAL ATTENTION TO THE DESIRABILITY OF PRESERVING OR ENHANCING THE CHARACTER OR APPEARANCE OF EACH CONSERVATION AREA.

4.9 Policy CD52 is:

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

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4.10 Policy CD53 is:

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.

4.11 Policy H11 is:

TO RESIST HOUSING DESIGNED TO HIGHER DENSITIES EXCEPT WHERE IT:

- (a) IS DESIGNED PREDOMINANTLY FOR OCCUPATION BY SMALL HOUSEHOLDS; OR
- (b) ENABLES THE PROVISION OF SPECIAL NEEDS OR AFFORDABLE HOUSING ON APPROPRIATE SITES; OR
- (c) IS AN INFILL SCHEME WHERE A HIGHER DENSITY DEVELOPMENT IS NECESSARY FOR TOWNSCAPE REASONS TO COMPLY WITH THE POLICIES OF THE CONSERVATION AND DEVELOPMENT CHAPTER.

4.12 Policy H12 is:

TO RESIST HOUSING DESIGNED TO VERY HIGH DENSITIES UNLESS NECESSARY FOR TOWNSCAPE REASONS TO COMPLY WITH THE POLICIES OF THE CONSERVATION AND DEVELOPMENT CHAPTER.

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4.13 Policy TR46 is:

TO REQUIRE NEW RESIDENTIAL DEVELOPMENT TO INCLUDE OFF-STREET PARKING UP TO THE MAXIMUM STANDARDS ADOPTED BY THE COUNCIL AND CONTAINED IN CHAPTER 13 OF THE PLAN, EXCEPT:

- A) IN LOCATIONS, SUCH AS TOWN CENTRES, WHERE SERVICES ARE READILY ACCESSIBLE BY WALKING CYCLING OR PUBLIC TRANSPORT;
- B) WHICH PROVIDE HOUSING FOR ELDERLY PEOPLE, STUDENTS AND SINGLE PEOPLE WHERE THE DEMAND FOR CAR PARKING IS LIKELY TO BE LESS THAN FOR FAMILY HOUSING;
- C) INVOLVING THE CONVERSION OF HOUSING OR NON-RESIDENTIAL BUILDINGS WHERE OFF-STREET PARKING IS LESS LIKELY TO BE SUCCESSFULLY DESIGNED INTO THE SCHEME;
- D) WHERE, FOR SPECIFIC TOWNSCAPE REASON OR BECAUSE THE BUILDING IS OF ARCHITECTURAL OR HISTORIC INTEREST, OFF-STREET PARKING IS LESS LIKELY TO BE SUCCESSFULLY DESIGNED INTO THE SCHEME.

4.14 There are Policies of the UDP, other than those quoted in the Reasons for Refusal and set out above, which are also considered by the Council to be relevant to the appeal proposals, but not contravened or compromised by the proposals. It is recognised that third party objectors may not agree with this conclusion in relation to some or all of these Policies; these policies are set out below and the appeal decision will clearly give them appropriate weight as the Inspector sees fit. These Policies are CD29, CD30, CD30a, CD34, CD61, CD72, H2, H7, H10, H18, H19, H21, H22 , TR27, TR39, and LR14. Beyond setting them out here, these Policies are not discussed further in this Statement as they are discussed fully in the Report to the Planning Services Committee at **Appendix (3)**, and the Council's position in relation to these policies has not altered since the preparation of that Report.

4.15 Policy CD29 is:

TO REQUIRE DEVELOPMENT TO BE DESIGNED TO ENSURE GOOD LIGHT CONDITIONS FOR ITS BUILDINGS AND SPACES.

4.16 Policy CD30 is:

TO REQUIRE DEVELOPMENT TO BE DESIGNED TO ENSURE SUFFICIENT VISUAL PRIVACY OF RESIDENTS AND THE WORKING POPULATION.

4.17 Policy CD30a is:

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TO RESIST DEVELOPMENT WHERE IT WOULD RESULT IN A HARMFUL INCREASE IN THE SENSE OF ENCLOSURE TO NEARBY RESIDENTIAL PROPERTY

4.18 Policy CD34 is:

TO RESIST PROPOSALS WHERE THE NOISE GENERATED BY THE USE OR ACTIVITY WOULD CAUSE MATERIAL DISTURBANCE TO OCCUPIERS OF SURROUNDING PROPERTIES.

4.19 Policy CD61 is:

TO RESIST DEVELOPMENT WHICH WOULD ADVERSELY AFFECT THE SETTING OF A LISTED BUILDING.

4.20 Policy CD72 is:

TO RESIST DEVELOPMENT PROPOSALS THAT WOULD RESULT IN UNNECESSARY DAMAGE OR LOSS OF TREES.

4.21 Policy H2 is:

TO SEEK THE DEVELOPMENT OF LAND AND BUILDINGS FOR RESIDENTIAL USE UNLESS:

- a) A SATISFACTORY RESIDENTIAL ENVIRONMENT CANNOT REASONABLY BE ACHIEVED BY REASON OF EXCESSIVE NOISE, INAPPROPRIATE LOCATION OR GROUND CONTAMINATION; OR
- b) THE LAND IS REQUIRED FOR THE PROVISION OF SOCIAL OR COMMUNITY FACILITIES TO MEET LOCAL NEEDS; OR
- c) THE DEVELOPMENT IS FOR THE REPLACEMENT ON THE SAME SITE OF EXISTING COMMERCIAL FLOORSPACE WHICH HAS NOT GIVEN RISE TO ENVIRONMENTAL OR TRAFFIC PROBLEMS.

4.22 Policy H7 is:

TO SEEK, WHERE APPROPRIATE, THE PROVISION OF SOME OUTDOOR SPACE IN ALL NEW DEVELOPMENT AND, IN PARTICULAR, THE PROVISION OF OPEN SPACE AND PLAY FACILITIES IN DEVELOPMENTS OF OVER TEN UNITS

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4.23 Policy H10 is:

NORMALLY TO REQUIRE THAT HOUSING PREDOMINANTLY SUITABLE FOR OCCUPATION BY FAMILIES WITH CHILDREN IS DESIGNED TO A LOWER DENSITY.

4.24 Policy H18 is:

TO SEEK THE INCLUSION OF SMALLER UNITS (OF ONE OR TWO HABITABLE ROOMS) AND LARGER UNITS (OF THREE HABITABLE ROOMS AND MORE) IN SCHEMES FOR RESIDENTIAL DEVELOPMENT.

4.25 Policy H19 is:

TO SEEK AN APPROPRIATE MIX OF DWELLINGS WITHIN A SCHEME, HAVING REGARD TO THE FOLLOWING FACTORS:

- a) THE PHYSICAL CHARACTER OF THE SITE OR BUILDING AND ITS SETTING;
- b) THE PREVIOUS OR EXISTING USE OF THE SITE OR BUILDING;
- c) ACCESS TO PRIVATE GARDENS OR COMMUNAL GARDEN SQUARES FOR FAMILY UNITS;
- d) THE LIKELY EFFECT ON DEMAND FOR CAR PARKING WITHIN THE AREA;
- e) THE SURROUNDING COMPOSITION AND DENSITY OF POPULATION;
- f) THE LOCATION OF SCHOOLS, SHOPS AND OPEN SPACES;
- g) PROVISION OF ACCOMMODATION FOR SPECIAL NEEDS (See paragraphs 5.5.13 to 5.5.25); AND
- h) BUSY ROADS OR RAILWAY LINES NEARBY.

4.26 Policy H21 is:

TO WELCOME RESIDENTIAL OR MIXED-USE SCHEMES WITH A RESIDENTIAL ELEMENT WHERE A RANGE OF HOUSING IS TO BE PROVIDED INCLUDING AFFORDABLE HOUSING AND HOUSING FOR SPECIAL NEEDS.

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4.27 Policy H22 is:

TO NEGOTIATE THE PROVISION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE HOUSING ON SITES SUITABLE FOR RESIDENTIAL USE WITH A CAPACITY OF 15 DWELLINGS OR MORE.

4.28 Policy TR27 is:

WHERE APPROPRIATE, TO REQUIRE THE PROVISION OF CYCLE PARKING FACILITIES IN RESIDENTIAL AND COMMERCIAL DEVELOPMENTS AND AT OTHER SUITABLE LOCATIONS.

4.29 Policy TR39 is:

TO RESIST DEVELOPMENT WHICH WOULD RESULT IN:

- a) ANY MATERIAL INCREASE IN TRAFFIC OR PARKING, OR IN CONGESTION ON THE ROADS OR ON PUBLIC TRANSPORT, OR;
- b) ANY DECREASE IN ROAD SAFETY, OR;
- c) UNACCEPTABLE ENVIRONMENTAL CONSEQUENCES.

4.30 And Policy LR14 is:

TO REQUIRE THAT AMENITY SPACE IS PROVIDED FOR NEW FAMILY HOUSING.

5.0 **JUSTIFICATION OF THE COUNCIL'S DECISION TO REFUSE PERMISSION**

5.2 As referred to above, there are many conclusions drawn in the Officers report to the Planning Services Committee of 23rd July that remain undisputed in the Council's eventual decision to refuse planning permission, and are not the subject of dispute between the Council and the appellants.

5.3 It is the considerations that lead directly to the Reasons for Refusal that form the subject of this appeal Statement, and it is these considerations that are substantiated below. There are two Reasons for Refusal, and these are discussed in turn.

5.4 Before elaborating on the two Reasons for Refusal, there is a fundamental point that ought to be clear from the Officer's Report (**Appendix 3**) but which is worth

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highlighting in this Statement, namely that the Officer recommendation was in several ways "on balance", and that the Report explicitly acknowledged that the proposals would in fact breach a number of relevant policies. In paragraphs 4.4, 4.5, 4.8 and 5.13 the Committee were advised that the proposals were contrary to Policy H12. In Paragraph 4.19 it is reported to the Committee that the Director of Transportation had objected to the proposals in terms of both Policies TR39 and TR46. Further, in paragraph 4.40 the Committee are also advised that the proposals would be contrary to Policy CD72. Finally, it is stated in the conclusion (paragraph 6.1) that in relation to three issues, namely density, parking provision and trees, the conclusion was "on balance".

- 5.5 Therefore, the Planning Services Committee did not disagree with the Officer's assessment of these three issues, agreeing that the proposal was clearly conflicting in each area only giving them greater weight in the final decision, particularly as they had found differently to their Officers on the matter of townscape, concluding that the proposal would cause townscape harm as identified in Reason 1.

Reason for Refusal 1

"The proposed development would be of a scale, bulk and detail that would relate poorly to nearby buildings and property and would harm the character and appearance of this part of the Norland Conservation Area. As such, the proposed development is contrary to Policies CD25, CD26, CD48, CD52 and CD53 of the Unitary Development Plan (as Modified)."

- 5.6 The policies of primary importance in the townscape assessment of this proposal are considered to be Policy CD25, which requires that new development should be of a high standard of design and be compatible with the scale, height, bulk, materials and character of the surroundings, and Policies CD52 and CD53 which require that the character and appearance of Conservation Areas should remain unharmed by new development; Policy CD53 provides similar tests relating to bulk and scale as Policy CD25. Policy CD61 is also applicable, given the Grade II Listing of the nearby St. Ann's Villas properties.
- 5.7 The site's surroundings are varied in character so the Council considers that some degree of flexibility in design approach is possible here. The site is upon what the architects supporting statement correctly describes as an 'urban fault line', where the characterful C19th neo-gothic villas of St. Ann's Villas and the unique but also architecturally interesting building of the Organ Factory give way to the much harsher townscape environment of the 1960s/1970s Edward Woods Estate which includes five storey flats above shops on the North side of Swanscombe Road, and three very dominant 24 storey blocks that loom over the vicinity. The Council considers that a development of this site needs to address both of these contrasting urban environments; however, the fact that the site is included within the Conservation Area strongly supports the stance that it should take more from the scale and character of the Conservation Area (as does the gatehouse development adjacent to the appeal