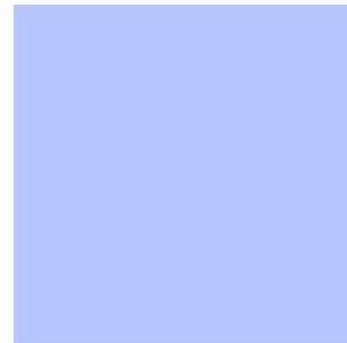
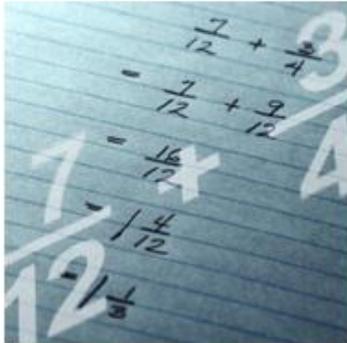


Development Plan Document

building on success



Recommended changes
Royal Borough of Kensington and Chelsea

January 2013



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Contents

Chapter 30 Keeping Life Local.....	5
Chapter 34 Renewing the Legacy	8

Extract 6 refers to planning policy for public houses and other A Class uses which provide a wider social role

Extract 6:

Chapter 30 Keeping Life Local

~~30.3.7 Public Houses are also considered a social and community use in the Borough, and recent concern over their loss to residential use has been noted. However, the Borough has only lost 6 public houses to residential units in the last decade. This is not to say that their loss is anything but regrettable. However, the Royal Borough is fortunate to have 173 bars (113 of which are traditional public houses) and the entire Borough(excluding open spaces) is served by one or more of these facilities being within a 10 minute walk.~~

~~Therefore, the Council considers that there is too little evidence to resist their loss at the present time. This will be kept under review. The Borough has also experience a number of traditional public houses changing into other drinking establishments which do not provide the same community function to residents. However, these changes do not represent a change under the Town and Country Planning (Use Classes)Order 1987 and cannot presently be controlled by the Council.~~

The above paragraph will be replaced by the paragraphs 3.3.14A 3.3.14B and 3.3.14C Which appear after paragraph 14.3.4

Local shopping and other facilities which Keep Life Local

30.3.9 The evidence on local shopping deficiency shows that a policy is required to retain and enable better access to shopping facilities on foot or by bicycle in order to significantly improve the quality of urban life.

30.3.10 The Council will use walkable neighbourhood indicators to assess accessibility to local shopping facilities. National indicators recommend an 800 metre (875 yard) walk. However, the use of national indicators is not appropriate due to the relatively large number of shopping centres within the Borough. As such, a 400 metre (440 yard) area is considered to be more appropriate in terms of assessing local shopping deficiency.

30.3.11 Currently 74.8% of the Borough is located within a 5 minute (400m or 440 yard) walk of a neighbourhood or higher order shopping centre, of this, 1.5% are served by local centres in neighbouring boroughs. Excluding public spaces, the main

areas with an established deficiency are Latimer, Kensal (east of Ladbrooke Grove) and parts of Earl's Court. In these areas, many residents will have to walk for more than 10 minutes (or 800m) to local shopping facilities. Lots Road is currently seen as being deficient. However, once implemented, the planning permission for the Lots Road Power Station site will address the deficiency. Whilst it is noted that there is little residential accommodation currently in the area shown as deficient in Kensal, the Kensal Gasworks Strategic Site is allocated for significant housing growth in this Core Strategy, meaning that local shopping facilities will be required. The deficiency in Earl's Court is expected to be resolved through the redevelopment of the Earl's Court Exhibition Centre Strategic Site.

30.3.12 By developing these sites and by creating new neighbourhood centres in Latimer and Kensal, it is calculated that 76% of the Borough would be within a 5 minute walk of local shopping facilities.

30.3.13 Individual shops and parades are also important as they offer convenience retail to those living in areas which are not located near defined shopping centres.

30.3.14 As well as social and community facilities, the Borough must also cater for local employment needs, this both improves the sense of belonging and can contribute to a more sustainable community. The issue of local employment is covered in more detail in *Fostering Vitality*.

30.3.14A The continued loss of the Borough's stock of public houses over the past 30 years has eroded an easily accessible social focus for the community. From 181 premises in 1980 to 110 in 2012, well over one third have been lost and with escalating residential property prices, this trend is set to continue. The Borough has experienced a number of traditional public houses changing into other drinking establishments which do not provide the same community function to residents. However, these changes do not represent a change under the Town and Country Planning (Use Classes) Order 1987 and cannot be controlled by the Council.

30.3.14B Public houses not only make a valuable contribution to the community and cultural life of the Borough, but at neighbourhood level they offer a source of identity and distinctiveness, provide opportunities for social interaction and provide places to meet which support community cohesion – in short the essential ingredients of a sense of community and place. They are part of that fine grain mix of uses, which provide not only historical continuity, but contribute economically and to the vitality of our residential communities and the character of an area. They are an essential ingredient for promoting healthy communities and maintaining diverse, strong, secure and accessible neighborhoods.

30.3.14C *However, it is not only public houses that display these distinctive characteristics. Other uses such as shops, financial and professional services uses and restaurants/cafes are also valued, for both the service that they provide and their wider social role. This essential mix of uses in the Borough's predominantly residential areas, not only makes these areas highly desirable places in which to live, helping to provide services locally for the community and beyond, but adds to the character and distinctiveness of the Borough as a whole. The approach of maintaining and protecting a broader range of uses also brings greater benefit to the wider community, rather than favouring a particular group within it.*

Policy CK 2

Local Shopping and other Facilities which Keep Life Local

The Council will ensure opportunities exist for convenience shopping **and other facilities which make life local** throughout the Borough.

To deliver this the Council will

- a) protect individual shops **(Class A1)** outside of designated town centres.
- b) **resist the loss of Public Houses and other Drinking establishments (Class A4) throughout the Borough**
- c) **resist the loss of Restaurants and Cafes (Class A3) and Financial and Professional Services (Class A2) outside of Higher Order Town Centres**

NOTE: *Further policy mechanisms for delivering **local shopping facilities** are included in Policies CF1, CF2 and CF3 in *Fostering Vitality, Chapter 31**

Chapter 34 Renewing the Legacy

Conservation, quality and design

34.1 INTRODUCTION

34.1.1 The Borough has inherited a remarkable historic townscape and a large number of historic buildings. The exceptional quality of the built environment underpins the Borough's success as a highly desirable place in which to live, work and invest. Over 4,000 buildings are 'listed' and there are over 100 garden squares. Conservation areas cover more than 70% of the Borough. The Royal Borough is known for its legacy of Georgian, Victorian and Edwardian architecture, but there are also a number of twentieth century buildings which continue the legacy of high quality design. Our listed buildings and conservation areas contribute immensely to local distinctiveness both within the Borough and to London as a whole.

34.1.2 Renewing the Legacy is an integral part of the Core Strategy's central vision of Building on Success. The exceptional quality of the built environment underpins the reputation of both Kensington and Chelsea, and our residents' quality of life.

CO 5 Strategic Objective for Renewing the Legacy

Our strategic objective to renew the legacy is not simply to ensure no diminution in the excellence we have inherited, but to pass to the next generation a Borough that is better than today, of the highest quality and inclusive for all. This will be achieved by taking great care to maintain, conserve and enhance the glorious built heritage we have inherited and to ensure that where new development takes place it enhances the Borough.

34.2 WHAT THIS MEANS FOR THE BOROUGH

34.2.1 Careful incremental improvement is needed to ensure our conservation areas remain of the highest quality. However, there are a number of small areas in the south and two large areas in the north of the Borough which are not within conservation areas. It is important that these areas are not regarded as 'second class' in terms of the future quality and contribution for which we should be striving. We should aspire for these areas to be our future conservation areas and a high design quality is needed to create a new design legacy for the Borough.

34.2.2 There is inevitable pressure for change, as the existing, often historic, building stock is updated, renewed or replaced to meet today's needs and changing lifestyles. Maintaining and improving the character, quality, inclusivity and setting of the Royal Borough's exceptional built environment is vital. Past approaches, where no worsening was good enough, are no longer acceptable. The prevailing philosophy will be to drive up the quality of design to improve the quality of the Borough's built environment. The local context is of primary importance in achieving this.

34.2.3 To ensure continued design excellence in the Royal Borough, the Council and the Royal Institute of British Architects (London) have appointed an Architectural Appraisal Panel. The purpose of the panel is to review key planning proposals and offer support and advice to the Council's officers, planning application committees and

its Design Champion, and for planning applicants to deliver high quality architecture within the Royal Borough.

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34.3 PLANNING POLICIES

Context and Character

34.3.1 ~~34.3.1~~ The Borough's townscape is unique in its high quality, finely grained, historic built environment with a strong context and **strong** character. The Council has a reputation of upholding high standards of conservation and design. **The physical context of the Borough is highly valued, far beyond the Borough itself.**

~~34.3.2~~ Text combined with 34.3.2 below The Council consider that the assessment of planning applications should be based on whether they are „good enough to approve“ rather than „bad enough to refuse“ to ensure the continuation of our existing high quality environment.

34.3.2 ~~34.3.3~~ The Council have has a hard-won reputation for requiring more for the Borough's historic urban fabric than **Over and above the pure preservation** when it comes to assessing planning applications. **of our historic urban fabric** we have embraced the principle of resisting '*design that fails to take the opportunities available for improving the character and quality of the area and the way it functions*'¹⁴. We are therefore constantly seeking to improve our environment and new development must improve upon the existing situation. **Assessment of planning applications is therefore based on whether they are 'good enough to approve' rather than 'bad enough to refuse' to ensure the continuation of our existing high quality environment.**

34.3.3 ~~34.3.4~~ The Borough is a highly desirable place to live, shown by the highest average home prices in England¹⁵. **These strong residential land values have led to pressure for the change to residential use. The principle of change of use is addressed in Keeping Life Local and Fostering Vitality. But the part that use plays in character must not be overlooked. The distinctive character of many buildings comes from their use, their role in the community, the facilities they provide and the activity they generate as, much as their physical appearance. (Move second part of paragraph to CL3 Conservation Areas and Historic Spaces) A building's use can contribute to the character of a conservation area and to a sense of place. The Borough contains a scatter of incidental mixed uses within its residential neighbourhoods, which offer variety, surprise and delight. These punctuate the street scene and add to the vitality and character of a conservation area. Their loss diminishes the character of the townscape, the cherished local scene and the vitality and diversity of the area.**

¹⁴ PPS 1: Delivering Sustainable Development, 2006.

¹⁵ Land Registry (2009).

34.3.4 ~~34.3.4~~ The Borough is a highly desirable place to live, shown by the highest average home prices in England ~~(2)~~. This is against a backdrop of **The Borough has** considerable residential densities but surprisingly modest building scales. For example, Victorian terraced housing in the Borough is typically **of four storeys**, consists of **providing** 700 habitable rooms per hectare (hrh) in 4 storeys; Edwardian terraced mansion blocks increasing at six storeys provide this to 970hrh in 6 storeys. In North Kensington, the typical density and height of the postwar estates are **five and six storeys, providing** 500hrh and 5-6 storeys, much lower than in the Victorian period.

Text moved to support Views policy ~~34.3.5~~ Vistas and views as well as gaps between development are often planned aspects of townscape, particularly within the Victorian period.

34.3.5 ~~34.3.6~~ The Borough does not shy away from high density designs: it is an exemplar in demonstrating that high density and high quality are compatible. ~~our~~ context encourages us to deliver high density schemes. However, the Council considers that densities should not, **however**, be used as the sole determinant of design. as it would undermine our **We have a duty** to have regard both to the desirability of preserving or enhancing the character or appearance of conservation areas, and to good design¹⁶. The density matrix in the London Plan¹⁷ therefore needs to be read in relation to the context of the development.

~~34.3.7~~ However, the Council considers that densities should not be used as the sole determinant of design, as it would undermine our duties to have regard both to the desirability of preserving or enhancing the character or appearance of conservation areas, and to good design. The density matrix in the London Plan therefore needs to be read in relation to the context of the development.

34.3.6 ~~34.3.8~~ The physical context of the Borough is highly valued, far beyond the Borough itself, and it has become a well-known and cherished part of London. Context **Successful developments demonstrate how they have addressed their local context. The extent of the** is relevant **context is relative** to the size of the development. For example, for a single dwelling house the relevant context may be just the immediate street, whereas a larger development would **analyse a wider area to understand the context within which the scheme will sit**, draw on the wider area for its context.

¹⁶ Listed Buildings and Conservation Areas Act 1990 & Planning and Compulsory.

¹⁷ Refer to the GLA density matrix for the appropriate range.

34.3.7 ~~34.3.9~~ The Borough is fortunate to ~~abut~~ **meets** the River Thames in the south and the Grand Union Canal **runs through the Borough** in the north. These river and canalside environments are considered important features, in ~~maintaining~~ **adding to** the Borough's distinctiveness. ~~The Thames and areas adjoining have been designated as the Thames Policy Area in conformity with the London Plan. The Council considers that developments within these environments should pay great respect in ensuring their enhancement.~~

34.3.8 In conformity with the London Plan parts of the Borough adjoining the Thames have been designated as the Thames Policy Area, to ensure developments in this area reflect the strategic role of the Thames in London.

~~**Text moved to support Views policy** 34.3.10 The quality and character of an area is not only provided by the individual buildings but it is also gained from views into and out of the area. When considering development that impacts on views, vistas and gaps, it is important to respect the local context. The Borough has one designated strategic view which is that of St Paul's as seen from King Henry's mound in Richmond Park.~~

34.3.9 ~~34.3.11~~ It is important that a **A** comprehensive approach is taken to site re-development **is important** so that layout and design quality are not compromised, there is efficient use of land and opportunities to improve the surrounding townscape are taken. This can include, ~~on~~ **occasionally**, assessing adjacent sites and their development potential as part of the development appraisal process, so that a piecemeal and uncoordinated approach to site re-development is avoided.

~~**34.3.10** UDP 4.3.7 The development of back land sites is inevitably difficult to achieve successfully. A backland site is land often not built over, which **that** is surrounded by other development and which has either a very limited or no street frontage. Access is **Because of the nature of these sites, integrating development into the surrounding context can be** 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.~~

34.3.11 The Borough's traditional urban block has a hierarchy of scale that gives t he streetscape a clear degree of legibility. Mews streets are common to the Borough and demonstrate the use of different scales to occupy these internal spaces within bigger perimeter blocks.

34.3.12 ~~UDP 4.4.21~~ The many mews streets in the Borough form an integral part of the nineteenth century pattern of development of this area of London. Indeed, the mews as a feature of the townscape is one of the factors which **to** distinguishes London from other cities. Whilst their origin as stable blocks for large houses means that they are generally of modest design, they do have a distinct character based on their consistency, simplicity and unity. ~~(See Policy H4 of the Housing Chapter and Policy E14 of the Office and Industry Chapters)~~

34.3.13 ~~UDP 4.4.22~~ Artists' studios represent a distinctive building type which **that**

emerged in the middle of the nineteenth century. They are characterised by a number of features including large windows and expanses of studio space behind. They exist in many forms from grand studio houses commissioned by famous artists of the day, to more modest and utilitarian speculatively built groups. There are significant numbers in the Royal Borough, which make an important contribution to its character and appearance. There is considerable pressure both for the introduction of new uses and the carrying out of alterations. This pressure is threatening the essence and character of these studios and consequently, undermining the artistic traditions of the Borough.

Policy CL1: Context and Character

The Council will require all development to respect the existing context, character and appearance, taking opportunities available to improve the quality and character of buildings and the area and the way it functions, including being inclusive for all.

To deliver this the Council will:

- a. require development, through its architecture and urban form, to contribute positively to the context of the townscape, ~~addressing matters such as~~ **through matters such as appropriate** scale, height, bulk, mass, proportion, plot width, building lines, street form, rhythm, roofscape, materials **and historic fabric as well as** vistas, views, gaps, **and open space;** ~~and historic fabric;~~
- b. require the analysis of context to be drawn from an area that is proportionate and relevant to the size of the development site;
- c. require the density of development to be ~~optimised relative~~ **appropriate** to context;

CL1 Context and Character cont.

- d. require riverside and canalside development to enhance the waterside character and setting, including opening up views and securing access to the waterway;
- e. **require development within the Thames Policy Area to protect and improve the strategic importance and iconic role that the Thames plays in London;**
- f. require a comprehensive approach to site layout and design including adjacent sites where these are suitable for redevelopment, resisting schemes which prejudice future development potential and/or quality.
- g. ~~resist~~ **require** the development of backland sites if **to** ~~there would be inadequate vehicular access,~~ **ensure vehicular and pedestrian access is properly integrated into the surrounding street network and that the scale and massing respect the hierarchy of the existing urban block so as not to negatively impact on the character of the area;** ~~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.~~
- h. ensure that the character of mews properties is preserved and enhanced and to resist inappropriate alterations and extensions.
- i. resist the loss of, and inappropriate alterations and extensions to artists' studios.

Heritage Assets - Conservation Areas and Historic Spaces

34.3.20 ~~34.3.35~~ The historic environment is central to the character of the Borough and the Council has a duty²⁰ under the Listed Buildings and Conservation Areas Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. ~~The special character and appearance of the historic environment is the the most important factor of our high quality townscape.~~

34.3.21 ~~34.3.36~~ The Royal Borough has a reputation for championing the conservation of its high quality historic environment. Preserving and enhancing our conservation areas continues to be a high priority for the Council. ~~The Council considers that~~ in order fulfil its statutory duty and adequately assess planning applications within conservation areas, there is a need for proposals to provide full detail rather than outline applications.

34.3.22 ~~34.3.37~~ The character and appearance of a conservation area is not only provided by the high quality and appearance of individual buildings within the area and the inter relationship between them but it is also gained from views into and out of the area. Therefore development that impacts on setting, including the effect on views, gaps and vistas identified within **appraisals of** conservation areas ~~Proposal Statements~~, needs to be assessed to ensure that the character and appearance of the area is conserved.

34.3.23 ~~34.3.38~~ The Council takes **seriously** its statutory responsibility to improve or enhance the built environment within conservation areas ~~seriously~~. In situations where quality of the built environment has been eroded, a pro-active approach is needed to ensure the environment is continuously improved.

34.3.24 ~~34.3.39~~ The partial or full demolition of an heritage asset, whether it be a listed building or unlisted structure which has **of** architectural merit, can cause irreversible damage to the character and appearance of our high quality townscape.

34.3.25 ~~34.3.40~~ As the vast majority of the Borough is covered by **within a** conservation areas, there are limited opportunities for new development. Allowing a site to fall into disrepair, resulting in subsequent partial or full demolition may be an incentive for developers on sites where a different building design is sought. ~~The Council therefore considers that~~ **P**roposals for the partial or full demolition of structures requires careful consideration, particularly the **in assessing** ment of the appropriateness of the replacement structure.

34.3.26 ~~34.3.41~~ There have been instances of occasional building collapse in the Borough within conservation areas where Conservation Area Consent is required for substantial demolition. Such areas are designated to ensure that proposals preserve or enhance the character or appearance of the area. The collapse of a building should not therefore be viewed as an incentive to depart from the original design of the building.

²⁰ s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

34.3.27 In addition, a building's use can contribute to the character of a conservation area and to a sense of place. The Borough contains a scatter of incidental mixed uses within its residential neighbourhoods, which offer variety, surprise and delight. These punctuate the street scene and add to the vitality and character of a conservation area. Their loss diminishes the character of the townscape, the cherished local scene and the vitality and diversity of the area.

34.3.28 As the character and appearance of a conservation area can be dependent on the detail of developments, outline planning applications are insufficient within a conservation area: full detailed applications are needed.

Policy CL 3: Heritage Assets - Conservation Areas and Historic Spaces

The Council will require development to preserve and to take opportunities to enhance the cherished and familiar local scene, character or appearance of conservation areas, historic places, spaces and townscapes, and their settings.

To deliver this the Council will:

- a.** require development to preserve or enhance the character or appearance of the conservation area and protect the special architectural or historic interest of the area and its setting.
- b.** **resist the change of use of any building where the current use contributes to the character of the surrounding area and to its sense of place.**
- c.** ~~b.~~ resist substantial demolition in conservation areas unless it can be demonstrated that:
 - i.** the building or part of the building or structure makes no positive contribution to the character or appearance of the area;
 - ii.** a scheme for redevelopment has been approved;
- d.** ~~e.~~ require a replacement replica in the event of a collapse or unauthorised demolition of a structure that made a positive contribution to the character or appearance of in a conservation area; a replacement replica of the structure where the original made a positive contribution to the character and appearance of that conservation area.
- e.** ~~a.~~ require full planning applications in conservation areas;

