

6 CONCLUSION

6.1 The Royal Borough is predominantly a residential Borough, strongly characterised by an extensive historic environment of high quality, well-mannered and well-proportioned buildings and streets. The wealth of traditional domestic architecture and traditional urban form has created highly attractive and distinctive townscapes that cover almost three-quarters of Kensington and Chelsea, and make for many of the most highly desirable residential addresses in central London. The general consistency of building heights within areas and across the Borough as a whole is a distinctive feature of this historic environment.

6.2 Comparatively few buildings and structures rise above the prevailing rooflines and punctuate the skyline. They landmark important civic and religious buildings that fit within the Royal Borough's traditional, fine urban grain. Others are mainly high-rise residential towers that cluster in the north and west, and make for a coarser urban grain. Because of the consistency of building heights in the Royal Borough, new tall buildings and structures have a disproportionate effect on its skyline. There is a general presumption in favour of maintaining this consistency, and the Council will carefully assess the design and townscape qualities of proposals that may otherwise gradually erode this important historic character.

6.3 When considering high building proposals, the Council distinguishes three categories, referring to how far a building rises above its context on a proportional basis. Local landmarks are ‘high’ buildings that are taller than their surroundings, but no taller than 1½ times their context. They define points of townscape interest or public functions that are relevant to those living or working within the immediate areas. District landmarks are visible over wider areas, tending to be up to 4 times their context in height. They are regarded as ‘tall’ buildings and tend to highlight major public functions. Metropolitan buildings are ‘very tall’ buildings that are more than 4 times their context and characterise central metropolitan areas. Kensington and Chelsea is generally not a tall buildings Borough and as such opportunities for new tall buildings are likely to be few and far between. Where they may be countenanced they should be of district scale. Metropolitan scale buildings are inappropriate.

6.4 Tall buildings in the wrong location can cause significant harm to the local character of an area, as well as disrupt important views and settings. In line with guidance the Royal Borough has identified at a strategic level extensive areas regarded as highly sensitive to tall building proposals. They

comprise conservation areas, buffer zones to conservation areas and listed buildings, and strategic and important local views. Within these areas a tall building proposal is likely to be visually intrusive and may well be disruptive, and therefore resisted, though each case must be judged on its merits. Outside of these areas may be regarded as visually recessive, where the visual intrusion of a tall building proposal may be less sensitive to visual disruption, though this must be confirmed by the submission of a full visual impact assessment. But avoiding causing harm is an insufficient argument to justify any development, let alone one with impacts as significant as a tall building. All tall building proposals, therefore, must satisfy the positive tests for tall buildings.

6.5 There are 3 positive tests that support the case for tall buildings within the Royal Borough. Tall buildings should be of exceptional architectural, sustainable and urban design quality. They should articulate a point of borough-wide, significant townscape legibility. Closely linked to this they should provide for an activity of London-wide, significant public use. Whilst there are a number of other arguments commonly used in support of tall building proposals, they are not applicable when considering such applications in the Royal Borough.

6.6 Finally, new tall building proposals will only be considered as full applications. Details of the information required for submission of tall building proposals are contained in the following appendices, which also includes the national, metropolitan and local policy context.



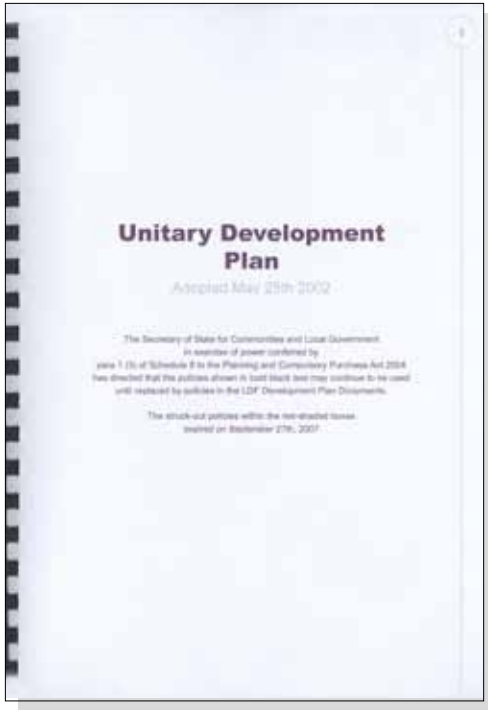
APPENDIX I

POLICY CONTEXT

Tall building design has to take into account many components of national and regional planning policy guidance as well as local policies.

Unitary Development Plan (RBKC, 2002)

A1.1 The overall aim of the Kensington and Chelsea UDP is ‘to maintain and enhance the character and function of the Royal Borough as a residential area and to ensure its continuing role within the metropolitan area as an attractive place to work and live’. The UDP gives priority to the protection of the residential character of the Royal Borough (STRAT 1). The borough supports London’s sustainable development through locating high trip generating uses in those parts that are or will be well served by public transport (STRAT 5, STRAT 7).



A1.2 The UDP does not contain a specific policy on tall buildings. Applications are considered against a panoply of policies that control the architecture, urban design and environmental impacts of all development types, including tall buildings. These policies form the basis for this SPD

A1.3 The UDP states that all new development has to present a high standard of design (CD27, CD62) and preserve and enhance the residential character of the Borough (STRAT 9). New developments should 'be sensitive to and compatible with the scale, height, bulk, materials and character of the surroundings' (CD27) and 'be physically and visually integrated into its surroundings' (CD28). It should reflect the traditional urban form of the Borough by being designed to emphasize the relative importance of main routes, key locations or other public gathering places (CD28b); and by preserving local plot widths, building lines, roofscape and open space (CD28d). The Borough will resist development, which will significantly overshadow existing adjoining buildings and amenity spaces (CD33) and/or harm the visual privacy of residents (CD35).

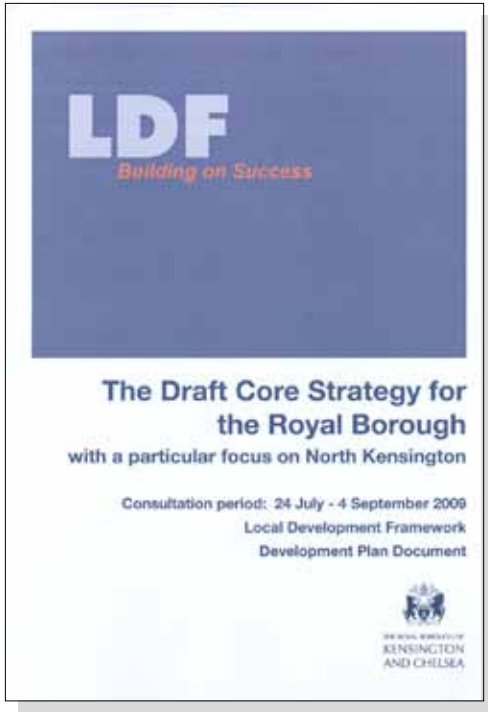
A1.4 The UDP requires the character or appearance of each conservation area to be protected and enhanced (CD57). Therefore, any development in a conservation area has to preserve the character of the area (CD61) and be compatible with scale and pattern, bulk and height, proportion and rhythm, roofscape, materials, as well as landscaping and boundary treatment of the surrounding (CD62). The Borough makes it clear that it will resist any development, which would adversely affect the setting of a listed building (CD69).

A1.5 The Borough will protect listed buildings and preserve and enhance the character or appearance of conservation areas, areas of metropolitan importance, areas of local character, and other buildings or places of interest (STRAT 10). The plan seeks to protect the River Thames and its setting and has therefore designated the whole of the Thames within the Borough boundaries as a conservation area.

A1.6 In line with the London Plan the UDP also protects London's skyline and strategic views, carefully considering the impact of proposals on the foreground, background and lateral area of the protected view (para. 4.3.30, UDP). Therefore, the borough's aim is:

- To protect the strategic view of St. Paul's Cathedral from King Henry's Mound (CD17).
- To protect and enhance views and vistas along the riverside, including river views of Chelsea embankment and the setting of Chelsea Old Church as well as views from the Thames bridges (CD1).⁹⁰ Any new development on the riverside should preserve and enhance the waterfront character, improve physical and visual links between the river and the rest of the borough and 'be of a height no greater than the general level of existing building heights to the east of Blantyre Street' (i.e. 5 storeys) (CD6).
- To protect important views and vistas in and around the Royal Hospital (CD8)⁹¹ and to protect the open spaces surrounding the Royal Hospital from inappropriate development, both in the landscaped areas themselves and in the neighbouring streets (CD9).
- To protect important views and vistas in and around the South Kensington Museums area (CD10),⁹² particularly to the Natural History and Victoria and Albert Museums, the Colcutt Tower and Brompton Oratory (CD11).
- To require new buildings and extensions to existing buildings in the Royal Borough, which can be seen from Kensington Gardens and Hyde Park, to be designed so as not to exceed the general height of buildings (excluding post war blocks) and to pay regard to the tree lines (CD13). New buildings should not impose themselves on Kensington Palace in the vista's background, particularly when viewed from the east across the Round Pound (CD14).
- To resist proposals that would encroach or adversely affect the setting of Holland Park (CD15) and the Grand Union canal (CD18).





A1.7 The Borough will furthermore consider the effect of development proposals on views identified in the Council’s Conservation Area Proposals Statements and generally within conservation areas, controlling the visual impact of development on views within, into and out of such areas (CD63).

Local Development Framework: core strategy submission (RBKC, 2010)

A1.8 The Royal Borough is in the process of replacing its Unitary Development Plan and submitted the Core Strategy to the Secretary of State on 19 March 2010 for examination by an independent planning inspector. As an emerging replacement plan the Submission Core Strategy is a material consideration when assessing development proposals, and will increase in importance as it progresses towards adoption.

A1.9 The Core Strategy begins by setting out the overarching vision for Kensington and Chelsea to 2028, Building on Success. It looks to extend the Borough’s strong and varied sense of place by stimulating regeneration in North Kensington, enhancing the reputation of its national and international destinations, and upholding residential quality of life (CV1). The vision is delivered through 7 strategic objectives, which include Renewing the Legacy, where the aim is 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’ (CO5).

A1.10 Policy CL2 (New building, extensions and modifications) contains a specific section on high buildings, though the earlier section on architectural design is relevant. Other pertinent policies in the document include policy CL1 (Context and character), CL3-4 (Historic environment and assets), CL5 (Amenity), CR2 (Three-dimensional street form), CR5 (Parks, gardens, open spaces and waterways).

A1.11 The Council's policy on high buildings, CL2h-I, responds to the relatively modest and consistent building heights within Kensington and Chelsea that reflect the primarily residential character of the Borough, and to its very attractive townscape. There are comparatively few tall buildings, which are regarded very much as the exception to this overriding character and appearance. New proposals are assessed principally on their proportional height, visual impact, architecture and legibility, with only full planning applications being considered. The relevant policy section states that it will:

- resist proposals that exceed the prevailing building height within the context, except where the proposal is for a local or district landmark.
- require proposed local landmarks to:
 - i be of high design quality
 - ii be compatible with the scale, rhythm, mass, bulk and character of the context
 - iii articulate positively a point of townscape legibility of local significance.
- require proposed district landmarks to:
 - i be of exceptional design quality
 - ii be of a slender profile and proportion
 - iii articulate positively a point of townscape legibility of significance for the wider Borough and neighbouring boroughs, such as deliberately framed views and specific vistas
 - iv provide a strategic London-wide public use
 - v require an assessment of the zone of visual influence of a proposed district landmark within or visible from the Borough, to demonstrate that the building has a wholly positive visual impact on the quality and character of the Borough's or neighbouring boroughs' townscape when viewed from the Royal Borough.
- resist a proposal that is of metropolitan scale.
- require full planning application(s) for all buildings that exceed the prevailing height within the context.⁹³





A1.12 The Core Strategy refers to the Council's reputation of upholding high standards of conservation and design, and of constantly seeking improvements to the local environment. It expects development to respect its physical context and to take opportunities to improve the quality and character of buildings and the area and the way it functions. The architecture and urban form should contribute positively to the townscape in terms of scale, height, bulk, mass, proportion, plot width, building lines, street form, rhythm, roofscape, materials, vistas, views, gaps and the historic fabric.

A1.13 It is made clear that development that has a harmful impact upon strategic and local views will be resisted, and that density is not the sole determinant of design and should be optimised relative to its context. Waterside development in the Royal Borough is also mentioned, where the expectation is that it improves the character and setting of the River Thames, Chelsea Creek and the Grand Union Canal (CL1).

A1.14 How a building relates to its context is also covered by policy CR2, which discusses the three-dimensional street form and the sense of place. Where development would make a significant change to the form of existing streets, the Council expects the

resultant street form and character to draw upon traditional townscape qualities. It requires among other factors that:

- the ratio of building height to street width to give a coherent and comfortable scale to the street
- require building lines and building scales to be consistent and related to context
- require a frequency and rhythm of building entrances and windows that support active street frontages and optimises community safety.

A1.15 The densely developed nature of the Royal Borough is such that amenity is a critical factor in the quality of life for all. As such it will protect the daylight, sunlight, visual privacy, sense of enclosure and other amenities enjoyed by users of existing buildings and spaces, and require equally high levels of amenity in any new development (CL5).

A1.16 The Borough will protect its heritage assets, protecting its listed buildings, scheduled ancient monuments and sites of archaeological interest and their settings (CL4), and preserve and enhance the character or appearance of conservation

areas, historic places, spaces and townscapes, and their settings (CL3). This protection extends to resisting development that has an adverse effect upon the environmental and open character or visual quality of Metropolitan Open Land, garden squares, and parks and gardens of Special Historic Interest (CR5).

A1.17 Views are referred to in policies CL1 and CL2, where it is made clear that development should not have a harmful impact upon strategic and local views. The latter includes local vistas and gaps between developments, which are often planned aspects of townscape, particularly within the Victorian period, and make an important contribution to the character and appearance of conservation areas.

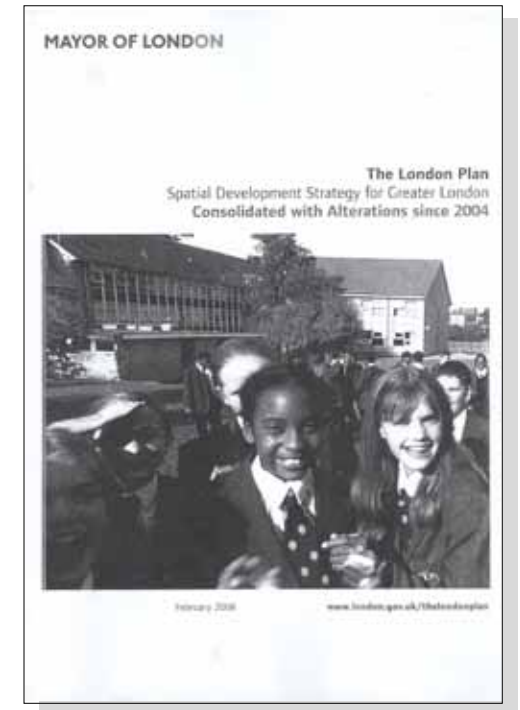
A1.18 It is significant that the Core Strategy does not replace design policies CD1, 2, 8-11, 13-15, 17 and 63 of the UDP. These design policies provide detailed management policies for the protection of the strategic view and other views of metropolitan and borough significance. They comprise views and vistas of the riverside, Royal Hospital, South Kensington Museums, Kensington Gardens and Holland Park. Policy CD63 protects views generally of conservation areas (see para A1.6-7, earlier). The UDP

policies remain in force and will continue to do so until such time as the Council prepares and adopts a specific SPD on the designation and management of views within the Royal Borough, as referenced in the Local Development Scheme (March 2010).

A1.19 There are buildings within the Royal Borough that are regarded as highly disruptive to visual quality of the Royal Borough. The Core Strategy refers to them as ‘eyesores’ and promotes their removal and replacement with buildings better suited to their context. Two eyesore buildings are currently identified: Holiday Inn (Forum Hotel) in Gloucester Road and Newcombe House in Notting Hill Gate, both of which are tall buildings (para 34.3.17, policy CL2c).

Metropolitan policy context The London Plan (GLA, February 2008)

A1.20 The London Plan provides the London-wide context within which individual boroughs must set their local planning policies and sets the policy framework for the Mayor’s involvement in major planning decisions in London. The Plan requests boroughs ensure that developments, among other principles, maximise the potential of sites; are sustainable, durable and adaptable; and respect local context, history, built





heritage, character and communities (para. 4.98). Policy 4B.8 states that the Mayor will, and boroughs should, work with local communities to recognise and manage local distinctiveness ensuring proposed developments preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics.

A1.21 Specific policies on tall buildings are contained in Policies 4B.9 and 4B.10. Other pertinent policy topics are sub-regional mechanisms for controlling and co-ordinating growth; and the London View Protection Framework (4B.16-18), which is complemented by the London View Management Framework SPG.

Policy 4B.9 Tall buildings - location

A1.22 This policy states that ‘the Mayor will promote the development of tall buildings where they create attractive landmarks enhancing London’s character, help to provide a coherent location for economic clusters of related activities and/or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings’. The policy also indicates that ‘boroughs may wish to identify defined areas of specific character that could be sensitive to tall buildings within their development plan documents.

In doing so boroughs should clearly explain what aspects of local character could be affected and why. They should not impose unsubstantiated borough-wide height restrictions’. The Plan also emphasises that compact city and intensive development does not necessarily imply tall buildings and that London has achieved some of its highest residential densities in relatively low-rise areas (para. 4.120).

Policy 4B.10 Large-scale buildings – design and impact

A1.23 According to this policy, large-scale buildings (including tall buildings) should be of the highest quality design and, among other matters:

- meet the requirements of the View Protection Framework set out in Policy 4B.16
- be suited to their wider context in terms of proportion and composition and in terms of their relationship to other buildings, streets, public and private open spaces, the waterways or other townscape elements

- be sensitive to their impact on micro-climates in terms of wind, sun, reflection and overshadowing
- pay particular attention, in residential environments, to privacy, amenity and overshadowing
- be appropriate to the transport capacity of the area ensuring adequate, attractive, inclusive and safe pedestrian and public transport access.

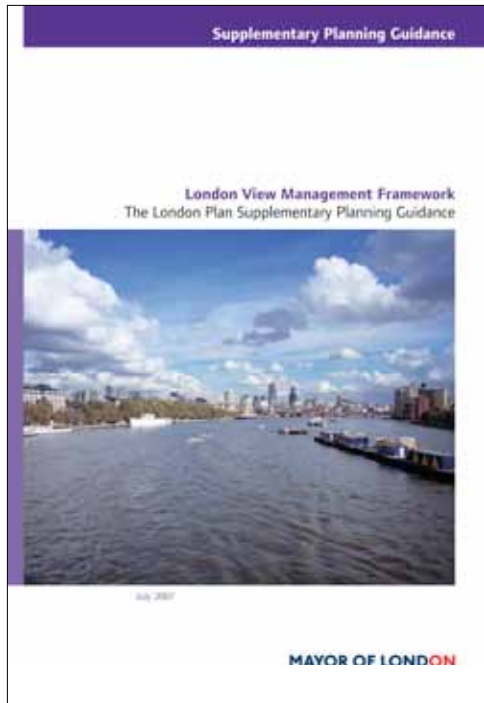
Policies 2A.3 – 2A.7 Sub-regional Planning

A1.24 These policies set out the sub-regional mechanisms for controlling and co-ordinating growth, and for making the most of development opportunities across the Capital. They do not generally refer to the types of built form, but to the location and overall intensity of growth, referring to the need to maximise or densify development in identified parts of the Capital. They define the Central Activities Zone,⁹⁴ Opportunity Areas, and Areas for Intensification and Regeneration Areas.

A1.25 Opportunity Areas are major brownfield sites regarded as capable of accommodating the substantial proportion of new homes and jobs in London, and the London Plan seeks to maximise their potential through significant increases in density. Areas of Intensification contribute likewise, but on a lower scale, with redevelopment offering the chance for higher densities, more mixed and intensive uses. It is notable that the London Plan does not identify any Opportunity Areas or Areas of Intensification within the boundaries of the Royal Borough of Kensington and Chelsea. White City is the closest Opportunity Area to the Royal Borough, located immediately to the west of the boundary in the London Borough of Hammersmith and Fulham. Paddington and Victoria in the City of Westminster are also identified.

A1.26 Regeneration Areas cover the 20% most socially and economically deprived wards of all London boroughs, and include parts of North Kensington. The problem is of ‘social exclusion’ and of bringing about regeneration, development and transportation proposals that improve access to better health, education, health, employment, housing and the environment. Policy 2A.5 refers to exceeding the minimum guidelines for housing; maximising access by





public transport; and ‘delivering good design, including public realm, open space and, where appropriate tall buildings’. Linking in to near-by Opportunity Areas is seen as critical.

London View Management Framework

A1.27 Since 16th May 2007 strategically important views in London have been subject to new directions pertaining to ‘Protected Vistas’ issued by the Secretary of State for Communities and Local Government. This replaces the regional guidance RPG3a and in addition to the ten strategic views, eight of St Paul’s Cathedral and two of the Palace of Westminster, an eleventh view from City Hall to the Tower of London has been identified. The Royal Borough of Kensington and Chelsea are crossed by one Protected Vista, St Paul’s Cathedral from King Henry’s Mound in Richmond.

A1.28 The London Plan recognises the value of London’s historic built environment and the need to protect its most important views. It contains three policies (4B.16 - 4B.18) aimed at protecting strategic views complemented by the SPG, which provides further guidance on how these policies operate. Borough development plans should be in general conformity with the London Plan.

Policies 4B.16 – 4B.18 Designation and management of views

A1.29 The London Plan Policy 4B.16 (and its associated Table 4B.1) designates 26 strategically important views of four types: London panoramas, river prospects, townscape views and linear views. The Mayor will keep the list of designated views under review. The policy indicates that views will only be considered for designation where:

- the viewing place is open, publicly accessible and well used, a place in its own right allowing for pause and enjoyment of the view
- significant parts of London, or significant buildings, would be visible
- the view is highly valued and allows for the appreciation and understanding of London as a whole, or of major elements within it, and does not replicate existing managed views without added benefit
- the view represents at least one of the following: a panorama across a substantial part of London, a broad prospect along the river or a view from an urban space,

including urban parks, which may be a linear view to a defined object or group of objects, which offers a cohesive viewing experience.⁹⁵

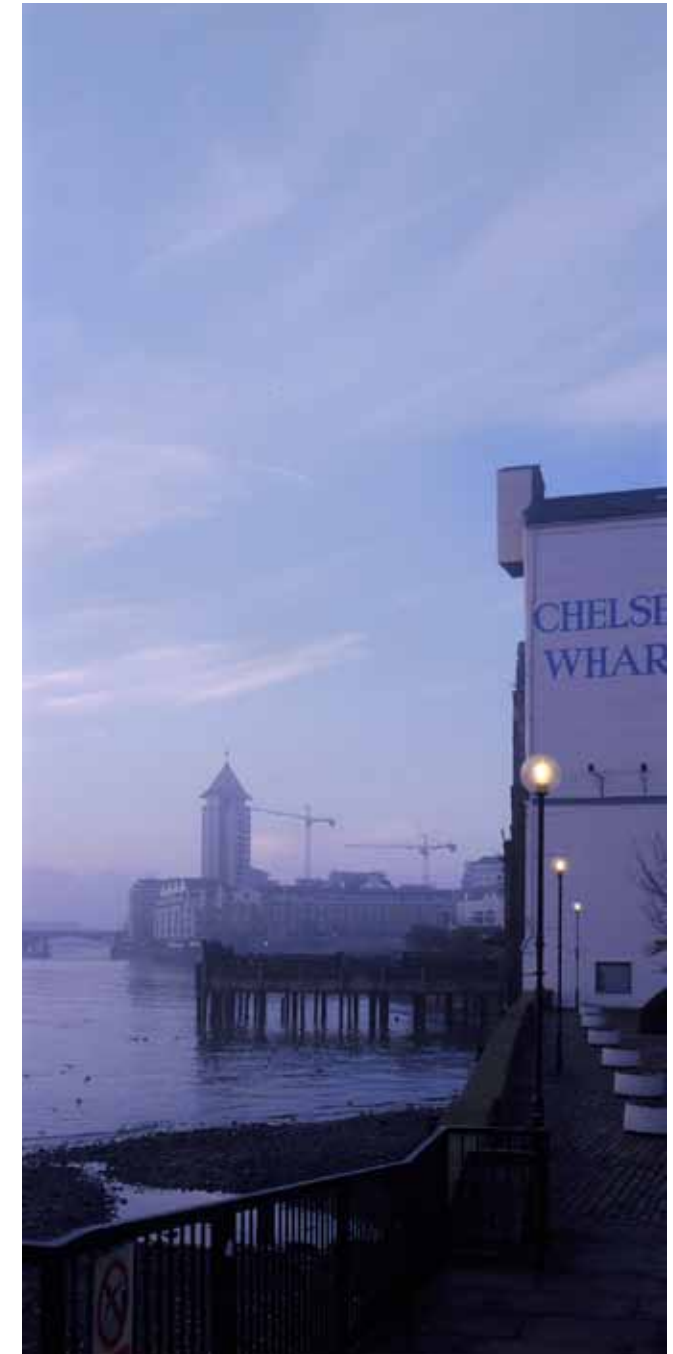
A1.30 The Mayor has prepared management plans for each of the designated views. The Royal Borough of Kensington and Chelsea is crossed by one protected vista, St Paul's Cathedral from King Henry's Mound in Richmond.

A1.31 The management plans seek to identify landmark buildings and prevent undue damage to the view either by blocking, or unacceptably imposing on, a landmark or by creating an intrusive element in the view's foreground or middle ground. The plans also clarify appropriate development height thresholds and protect backgrounds that give a context to landmarks. Policy 4B.17 makes it clear that the management of landmarks should afford them an appropriate setting and prevent a canyon effect from new buildings crowding in too close to the landmark.

A1.32 Policy 4B.18 provides guidance on assessing the impact of a proposed development on designated views. It identifies four assessment areas:

- landmark viewing corridors
- front and middle ground assessment areas
- landmark lateral assessment areas, and
- landmark background assessment areas.⁹⁶

A1.33 Accordingly boroughs should refuse or direct all development within landmark viewing corridors above threshold heights, and development within landmark background and lateral assessment areas, which 'fails to preserve or enhance the ability to recognise and appreciate landmark buildings'. Developments in front and middle ground assessment areas of designated views that are 'overly intrusive, unsightly or prominent to the detriment of the view as a whole' should also normally be refused.



London View Management Framework SPG (GLA, July 2007)

A1.34 The SPG gives further guidance on the policies in the London Plan with respect to the protection of strategic views. For each designated view the SPG provides a Management Plan, as required by Policy 4B.16, which describes the viewing locations and the extent of Landmark Viewing Corridors, Front and Middle Ground Assessment Areas, Lateral Assessment Areas and Landmark Background Assessment Areas.

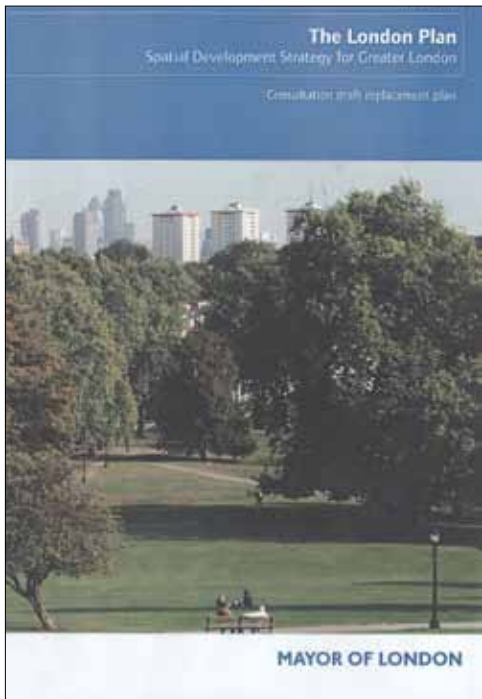
A1.35 Designated views are managed through a combination of qualitative assessment and geometric view corridor technique (Protected Vista). In most of the views designated by the London Plan, the Mayor does not seek to impose geometric control over development, but rather to encourage the assessment of the effect of each development on the view as a whole (para. 3.2). The SPG introduces the concept of 'Qualitative Visual Assessment'(QVA) as the primary tool for the management of new developments that could affect designated views. QVA is based upon analysis of a variety of visual materials provided by the developers, including 'Accurate Visual Representations' (AVRs) – photomontages or three-dimensional computer models – generated from relevant

'Assessment Points'.⁹⁷ Assessment Points are specific positions identified by the London Plan (indicated through coordinates and heights) from which one of the Designated Views can be particularly well appreciated. The Mayor proposes that the Assessment Points should be used as a common starting point for analyses of visual impact in order to provide consistency and comparability among proposals (para. 3.19).

A1.36 The qualities of some significant views on important landmarks are such that they require management by geometric definition (para. 4.1). Protected Vistas include three managed zones defined as Landmark Viewing Corridors, Landmark Lateral Assessment Areas and Landmark Background Assessment Areas. In each zone development threshold heights are defined, above which developments are likely to have a negative impact on the landmark and will normally be refused.

THE LONDON PLAN: CONSULTATION DRAFT REPLACEMENT (GLA, October 2009)

A1.37 The Mayor has opted to move straight to a full review of the London Plan rather than seeking incremental changes to the current statutory document. The replacement process has started with the publication of



the consultation draft plan, and whilst the February 2008 Plan remains in force and has legal status as part of the boroughs' development plan, the new plan is a material consideration that can be taken into account and will gather weight the further the replacement process goes. The formal replacement plan is expected towards the end of 2011 (para 0.8).

A1.38 Part of the context for the replacement plan is a new focus on quality of life issues affecting London and its population. Among these is the growing concern of 'protecting and enhancing what is distinctive about the city and its neighbourhoods, securing a sense of place and belonging through high quality architecture and design that sits well with its surroundings' (para 1.42). The new plan sets out the overall strategic vision that during the lifetime of the new plan and beyond, London should 'excel among global cities'. The vision is supported by 6 detailed objectives that pick up on the quality of life concerns, and in the above instance seeks to ensure London is 'A city that delights the senses and takes care of its buildings and streets, having the best modern architecture while also making the most of London's built heritage, and which makes the most of and extends its wealth of open and green spaces and waterways...'. (paras 1.49-50).

A1.39 Specific reference is made to tall buildings in Policy 7.7. Other pertinent policy topics are local character (Policy 7.4), heritage assets (Policy 7.8) and the London View Protection Framework (Policies 7.11-12).

Policy 7.7 Location and design of Tall and large buildings

A1.40 This policy and its supporting text describe how tall and large buildings can form part of the strategic approach to meeting the London Plan's goals for

regeneration and economic development, but cautions against any detrimental impacts they may have upon local character. It is therefore suggested that such buildings 'should be resisted in areas that will be particularly sensitive to their impacts and only be considered if they are the most appropriate way to achieve the optimum density in highly accessible locations or to ensure the best local design outcome, and if they make a significant contribution to local regeneration'.



A1.41 The Central Activities Zone, Opportunity Areas, Areas of Intensification or Town Centres that have good access to public transport are possible locations for tall buildings, whilst conservation areas, the settings of listed buildings, historic parks and gardens, the edge of metropolitan open land and world heritage sites might be unsuitable locations. The policy resists tall buildings that have an adverse impact on the amenity of their surroundings, and similarly those impacting upon local or strategic views. It sets out a number of design criteria, according to which tall and large-scale buildings should:

- Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features) particularly at street level
- Individually or as a group form a distinctive landmark that emphasises a point of civic or visual significance, and enhances the skyline and image of London
- Incorporate the highest standards of architecture and materials

- Have ground floor activities that provide a positive relationship to surrounding streets
- Incorporate publicly accessible areas on the upper floors, where appropriate
- Make a significant contribution to local regeneration.

A1.42 The policy indicates that boroughs and the Mayor should work together to identify locations where tall buildings might be appropriate and suggests that Opportunity Area Planning Frameworks are a ‘useful opportunity for carrying out such joint work’. (para 7.23).

Policy 7.4 local character

A1.43 This policy refers to the important role that the physical character of a place has in reinforcing the social, cultural, environmental and economic relationships between people and their communities. In some places the character is well preserved and clear, whilst in others it is undefined or compromised by unsympathetic development. New development is expected to:

- have regard to the existing urban structure and built form
- be of human scale

- allow existing buildings and structures that make a positive contribution to the character of a place to continue to do so
- be informed by the surrounding historic environment.

Policy 7.8 heritage assets and archaeology

A1.44 According to this policy London's built and landscape heritage provides a depth of character that has immeasurable benefit to the city's economy, culture and quality of life. It is important to sensitively manage these historic assets whilst promoting the highest standards of modern architecture, blending the old and new in a way that gives London its unique character. Development in or near conservation areas and listed buildings should therefore be 'sympathetic to their form, scale, materials and architectural detail'.

Policy 7.11-12 london view management framework

A1.45 The London Plan Policies 7.11 (and its associated Table 7.1) designates 26 strategically important views of three types: London panoramas, townscape views (including linear views) and river prospects. These are views that are seen from places that are publicly accessible and well used,

and include significant buildings or urban landscapes that help define London at a strategic level. The Mayor has prepared guidance on the management of each of the designated views, and will keep both the list of designated views and the guidance under review.

A1.46 The Mayor has also identified three strategically important landmarks within the designated views; St Paul's Cathedral, the Palace of Westminster and the Tower of London; and has sought to protect vistas towards these landmarks by designating Landmark Viewing Corridors and Wider Setting Consultation Areas. The Royal Borough of Kensington and Chelsea is crossed by one such Protected Vista, St Paul's Cathedral from King Henry VIII's Mound in Richmond Park

A1.47 Policy 7.12 provides guidance on assessing the impact of new development on designated views and protected vistas. Of relevance, development within landmark viewing corridors that is above the threshold height has a negative impact on the viewer's ability to see the landmark and should be refused. Similarly, development that is located within the foreground and middleground of the view and dominates the landmark should be refused.



Policies 2.9 – 2.14 Sub-regional Planning

A1.48 These policies set out the sub-regional mechanisms for controlling and co-ordinating growth, and for making the most of development opportunities across the Capital. They do not generally refer to the types of built form, but to the location, land use activities and overall intensity of growth, referring to the need to optimise development in identified parts of the Capital. They define the Central Activities Zone, Opportunity Areas, Intensification Areas and Regeneration Areas.

A1.49 Opportunity Areas are major brownfield sites with significant capacity to absorb new housing or commercial development, typically accommodating at least 5,000 jobs or 2,500 new homes or a combination of both. Intensification Areas are built-up areas that likewise have significant capacity for new jobs and homes but on a lower scale, achieved principally through redevelopment at increased densities. Notably, the Mayor offers partnership working to prepare planning frameworks for Opportunity Areas, and recognises that 'there are different models for carrying these forward' (Policy 2.13).

A1.50 The London Plan identifies Earl's Court and West Kensington, which straddles

the western Borough boundary with the London Borough of Hammersmith and Fulham, and Kensal Canalside in the north of the Borough as Opportunity Areas. Annex 1 of the Plan refers to Earl's Court and West Kensington as offering the potential for a strategic leisure, cultural and visitor attraction and strategically significant offices with supporting infrastructure, with an indicative 7,000 new jobs and/or 2,000 new homes on the 31ha site (p. 217). Kensal Canalside is seen as an important opportunity to promote regeneration in north Kensington, with the potential for 1,000 new jobs and/or 2,000 new homes on the 20ha site. However, the final number is very dependent upon overcoming major shortcomings in public transport provision, limited physical access and the development constraints imposed by the existing gasholders (p. 220).

A1.51 Beyond the Borough boundary, White City is the closest Opportunity Area, located immediately to the west in the London Borough of Hammersmith and Fulham. Further away, Paddington and Victoria in the City of Westminster are also identified. There are no Intensification Areas within the Borough or close to its boundaries.

A1.52 Regeneration Areas cover the 20% most socially and economically deprived

wards of all London boroughs, and include parts of North Kensington. The problem is of 'social exclusion' and of bringing about regeneration, development and transportation proposals that improve access to better health, education, health, employment, housing and the environment. The boroughs and Local Strategic Partnerships are regarded as the key agencies in addressing the problem with neighbourhood-based action and investment, with the Mayor offering strategic support.

National policy context

A1.53 Planning Policy Guidance notes (PPGs) and their replacements Planning Policy Statements (PPSs) give guidance from Government to local authorities and others on planning policy and the operation of the planning system. Local authorities must take their contents into account when preparing their development plans. The guidance may also be relevant to decisions on individual planning applications and appeals.

PPS1 (ODPM, 2005)

A1.54 PPS1 sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. The guidance states that the Government is committed to protecting and enhancing the quality of the natural and

historic environment and that a high level of protection should be given to most valued townscapes and landscapes (para. 17).

A1.55 PPS1 also underlines the importance of high quality design: good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development (para. 33). Planning authorities should therefore plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Good design should be integrated into the existing urban form and the natural and built environments (para. 35) and policies should ensure that developments respond to their local context and create or reinforce local distinctiveness (para. 36). The guidance makes it clear that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted (para. 34).

By Design (CABE/DETR, May 2000)

A1.56 PPS1 is supported by good practice guidance (para. 37) 'By Design – Urban design in the planning system: towards better practice'. By Design encourages attention to



the design of the built environment and sets out a number of principles of good urban design to aid the creation of attractive and sustainable places. The guidance advises that scale, massing and height of proposed developments should be considered in relation to that of adjoining buildings, the topography, the general patterns of heights in the area, as well as views, vistas and landmarks. It also states that the character of townscape depends on how individual buildings contribute to a harmonious whole, through relating to the scale of their neighbours and creating a continuous urban form (p.21).

A1.57 To enhance local distinctiveness developments should respond to local building forms and patterns of development as well as local materials, building methods and details. The good practice advice is that a building should only stand out from the background of buildings if it contributes positively to views and vistas as a landmark. According to the guidance buildings with functions of civic importance are one example. The massing and height of a building should also have regard to the degree to which it will overlook and overshadow other buildings and relate to the width of the street (p.23).

A1.58 By Design underlines that higher density commercial and mixed-use developments, civic buildings and developments likely to generate large numbers of visitors are best located within close walking distance of public transport interchanges (p.27).

PPG13 (DCLG, November 2006)

A1.59 The Government's planning policies for transport are set out in PPG13. The guidance advises that in preparing their development plans and in determining planning applications, local authorities should promote high density, mixed-use development in and around town centres and near to major transport interchanges (para. 76). Where developments will have significant transport implications, Transport Assessments should be prepared and submitted alongside the relevant planning applications for development (para. 23).

PPS5 (DCLG, March 2010)

A1.60 Government guidance on the protection of the historic environment is particularly pertinent to tall building proposals in the Royal Borough. The guidance treats the historic environment in a seamless manner describing any designated historic feature, such listed buildings, scheduled monuments, conservation

areas and registered parks and gardens as 'heritage assets'. The overarching aim is that 'the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations.' It regards these assets as non-renewable resources which should be protected in a way that reflects their significance, but accepts that carefully managed change may take place.

A1.61 Policy HE3 requires the local authority in preparing its Local Development Framework (LDF) to set out positive, proactive strategies for conservation of the historic environment. In doing so it should take into account several factors, among which is the contribution that the historic environment makes in terms of its:

- influence on the character of the environment and an area's sense of place
- potential to be a catalyst for regeneration in an area
- stimulus to inspire new development of imaginative and high quality design. (footnote HE3.1)

A1.62 Policy HE10 is concerned with the setting of a historic asset, the extent and importance of which is defined by visual, environmental and spatial considerations. Setting is seen as being generally more extensive than curtilage and may change as an asset or its surroundings evolve or as our understanding of the asset improves. (para 115-116). According to the policy local planning authorities should

- treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset (HE10.1)
- identify opportunities for changes in its setting to enhance or better reveal the significance, which if taken are seen as a public benefit and part of the place-shaping process. (HE10.2)

A1.63 The practice guidance notes accompanying policy HE10 notes that where new development affects the setting of a heritage asset, its design may play an important part in determining its impact. Where it does it should be designed carefully to respect the setting in terms of its scale, proportion, height, massing, alignment and use of materials (para 121).



Guidance on tall buildings

July 2007

This document sets out how CABI and English Heritage works together to assess tall buildings. It also offers advice on good practice in relation to tall buildings in the planning process. CABI organisations recommend that local planning authorities use it in their public making and, if necessary, to evaluate planning applications for tall buildings where the appropriate policies are not set in place. The document includes this guidance which is available to view a detailed consideration in the determination of planning applications.



ENGLISH HERITAGE



Guidance on tall buildings (English Heritage/ CABI, July 2007)

A1.64 This guidance sets out the criteria that both English Heritage and CABI apply when assessing proposals for tall buildings. The guidance encourages local planning authorities to identify suitable locations where tall buildings are, and are not, appropriate, in areas where such developments are a possibility (para. 2.4).

A1.65 In identifying appropriate and non-appropriate locations for tall buildings, local authorities should carry out a detailed urban design study (para. 2.7). This study should identify those elements that create local character as well as other important features and constraints. It should consider streetscape, scale, height, urban grain, natural topography, significant views of skylines, landmark buildings and areas and their settings, including backdrops, and important local views, prospects and panoramas. Having identified the constraints and opportunities through an urban design study, specific policies and locations should be included in development plans clearly identifying, in map-based form, areas which are appropriate, sensitive or inappropriate for tall buildings. In some historic towns and areas, historic environment considerations may be of such significance that no tall buildings will be appropriate (para. 2.8).

A1.66 Applicants seeking planning permission for tall buildings should ensure that proposals will conserve, or not damage or detract from (para. 4.6 ii):

- Listed buildings and their settings, including the foregrounds and backdrops to landmark buildings
- Conservation areas and their settings
- Historic parks and gardens, landscapes and their settings
- Other open spaces, including rivers and waterways, their settings and views from them
- Other important views, prospects and panoramas.

A1.67 In many cases the argument for high density development has been used to support proposals for tall buildings. The guidance, however, emphasises that tall buildings are only one possible model for high density development (para. 1.3).

APPENDIX II

CONTENT OF PLANNING APPLICATIONS FOR TALL BUILDINGS

A2.1 Applicants seeking planning permission for tall buildings in the Borough must submit full planning applications for their proposals. Outline planning applications for tall buildings are not accepted. The applicants should ensure that the below supporting information is provided so that a thorough assessment of the design qualities can be made:⁹⁸

- Survey plan and calculations that illustrate the heights of the proposed building and its surrounding context to determine whether the building is significantly taller than its surroundings and the proportional relationship.
- Tall building statement that evaluates the benefits and justifications for a tall building on the proposed site in terms of the tests set out in this SPD and the design criteria used to assess tall building proposals.
- Evidence to demonstrate that the viability and appropriateness of other forms of high density development have been explored.
- Design and access statement that sets out the architectural and urban design rationale for the proposal and addresses among other factors the development context, development objectives, relationship with the street and neighbouring buildings, relationship to open space (including waterways) scale and massing, alignment, density, materials, detailing, lighting (day and night time), existing and proposed land and building uses, ground floor uses, treatment of rooftop/crown, ground floor treatment, landscaping and public realm strategy.

- Visual impact assessment study to illustrate the impact on the context, especially on heritage assets and significant views. This should include a computer-generated zone of visual influence and the impact on local, medium and long distant views which should be done through accurate visual modelling of proposals – photomontages or three-dimensional computer models (buildings fully rendered) – from relevant assessment points defined by the Council. Proposals should be shown in daylight and night conditions and in different seasons.⁹⁹
- Physical impact assessment study to illustrate the impact on micro climatic conditions (wind tunnel studies, sun path studies, overshadowing, heat island and glare studies), privacy and overlooking, telecommunications, and subterranean service infrastructure.
- Movement statement that provides a traffic impact assessment, including car parking, pedestrian movement and public transport needs, and a servicing strategy.
- Building services strategy, including building systems and enclosure, energy consumption and efficiency, lighting (day and night time), waste storage and disposal, and maintenance.
- Sustainability statement outlining how the building will apply best sustainable practices, including energy management and production, resource conservation, materials specification and waste management. A recognised method of sustainability assessment should be used (e.g., BREEAM, EcoHomes).

A2.2 The greater the scale, impact and complexity of the proposals, the more detailed and comprehensive the statements should be. Applications submitted without the above supporting information may lead to a planning refusal on the grounds of insufficient information to allow the application to be fully and effectively assessed.

A2.3 Where on near-by sites there are existing tall buildings or extant permissions or concurrent proposals for tall buildings that have a bearing on the proposal's consideration, every effort should be made to include the relevant additional information. The potential clustering and cumulative effects of tall buildings must be addressed in the submission.

A2.4 An Environmental Impact Assessment (EIA) is likely to be required for tall building proposals. To avoid duplication, on submission the applicants may wish to include the above impact studies within the EIA.

A2.5 Applicants are strongly encouraged to discuss their proposals for tall buildings with planning and design officers as pre-applications, with discussions beginning as early as the concept stage. Draft plans and

initial design statement and impact studies are important to these discussions and should be made available to the officers at the earliest opportunity.¹⁰⁰

A2.6 To help ensure design excellence, the scheme architects will be invited by the Council to present their proposals to its Architecture Appraisal Panel (AAP) for its advice.¹⁰¹ The Council also strongly encourages the applicants of tall building proposals to seek the views of the Commission for the Built Environment (CABE), English Heritage (EH) and Greater London Authority (GLA) at an early stage.¹⁰²



APPENDIX III

DESIGN EVALUATION CHECKLIST FOR TALL BUILDINGS

A3.1 This section provides a checklist for assessing the design qualities of tall building proposals in the Royal Borough of Kensington and Chelsea. It draws upon tall building design matters contained within both this document and the English Heritage/ CABI guidance.¹⁰³ It does not replace the relevant policies and guidance, and therefore must be read in conjunction with the main body of this document and Appendix 1.

A3.2 Tall buildings present a number of design challenges and opportunities. Applicants seeking planning permission for tall buildings should ensure that the following matters are addressed:

Relationship to context – response to its local context in terms of siting, height, massing, scale, urban grain, streetscape, built form, alignment, articulation, materials, architectural language, detailing, open spaces and waterways.

Impact on historic assets – response to heritage assets in terms of scheduled monuments, listed buildings, conservation areas, registered parks and gardens, archeological remains, including their settings and views.

Impact on views – response to strategic and local views, prospects and panoramas; contribution to the skyline in terms of building proportion, silhouette and crown and in its relationship to other existing tall buildings; removal of an existing tall building that seriously detracts from the visual experience of the borough; formation of an attractive new vista; and articulation of a point of townscape legibility.

Architectural quality – architectural form, composition, integrity and inventiveness, forming a distinguished landmark, with detailed consideration given to its scale, height, massing, proportion, slenderness ratio and silhouette, facing materials and detailing and relationship to other structures, and incorporation of the building services and telecommunications equipment as integral to the design; addresses quality of life of those using the building in terms of function, fitness for purpose, access, safety and amenity; and building robustness, allowing adaptation over time.

Relationship to public realm – interaction with the surroundings at street level in terms of well defined edges and public space enclosure, activated frontages with transparent facades, and the provision of public space or facilities; contribution to the safety, diversity, vitality, social engagement and ‘sense of place’; and maximises access for people of all abilities .

Urban design quality – addresses connectivity of the site and permeability of the wider area, and accessibility to all; and contribution to the legibility of the townscape through the opening up or effective closure of views and articulation of a point of significance.

Impact on local environment – addresses any microclimatic effects of air turbulence and diversion of winds to ground level, loss of daylight/ sunlight, overshadowing of adjacent buildings and open space, glare and noise reflection through careful siting and orientation, sensitive architectural form (design of floorplate, massing, height, setbacks) and use of architectural devices (awnings, skirts, terraces); and if lit at night, how well designed and appropriate it is to the building and its setting.

Delivers sustainability – use of the latest sustainable design and construction practices and technologies, with detailed consideration given to the built form configuration and orientation, energy sources and conservation, material source and lifecycle, internal temperature control and use of natural ventilation, water use and conservation and mitigation of water run-off, waste management and on-site ecology; enhances long-term energy and resource efficiency by designing for flexibility and building adaptation; BREEAM or EcoHomes rating, or a recognised lequivalent.

Protection of design quality – capability and commitment to carry through the vision and design qualities set out by the original architect during the process of procurement, detailed design and construction.

Land use - provision for a strategic London-wide public use; uses that activate the building at grade level; public access to the building, especially at grade and/ or high level.

A3.2 Tall building proposals will also be assessed against other relevant planning criteria, such as impact on and contribution to land use patterns and mix, local public infrastructure and facilities, transport infrastructure and services. Please refer to the Borough’s development plan for details.