



# Conservation and Design Policy Review

Partial Review of the Core Strategy  
Publication Planning Policies

Recommended Changes

April 2014

Regulation 22, Town and Country Planning (Local Planning) (England) Regulations 2012



THE ROYAL BOROUGH OF  
**KENSINGTON  
AND CHELSEA**

## How this document is set out

This document indicates the Council's recommended changes to the Renewing the Legacy and An Engaging Public Realm chapters as a result of the Publication Policy Consultation in February/March 2014.

The proposed changes are highlighted in bold blue text. Where it is proposed that text is removed it is ~~struck through~~, and where additions are suggested these are underlined.

The changes that are proposed are:

- **Policies CL2(c)** and the associated text. This concerns the Council's policy on eyesores. It is proposed that this policy is removed.
- **Policy CL3 reasoned justification**. This concerns the Council's policy on conservation areas. Small alterations proposed to the supporting text.
- **Policies CL4(d)&(f)**. This concerns the Council's policy on listed buildings. Changes to the wording of the policy are proposed.
- **Policy CL6 reasoned justification**. This concerns the Council's policy on small-scale alterations and additions. Small alterations proposed to the supporting text.
- **Policies CR5(c)** and the associated text. This concerns the Council's policy on parks, gardens, open spaces and waterways. It is proposed that there are changes to the supporting text and minor changes to policy CR5(c).

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## RENEWING THE LEGACY

### CONTEXT AND CHARACTER

34.3.1 The Borough's townscape is unique in its high quality, finely grained, historic built environment and has a strong sense of identity and character. The Council has a reputation of upholding high standards of conservation and design. The character and appearance of the Borough are highly valued, locally, nationally and internationally.

34.3.2 Over and above the pure preservation of our historic urban fabric the Council has 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. 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 The Borough is a highly desirable place to live, shown by the highest average home prices in England<sup>1</sup>. These residential land values have led to strong pressure to change buildings 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. A building's use can therefore contribute to the character of a conservation area and to a sense of place.

34.3.4 The Borough's townscape is rich in detail. Paying attention to detail, as well as to matters such as form and mass, is therefore important in ensuring new high quality development.

34.3.5 Development proposals should heed their local context. Analysing and responding to context is important in good design. The extent of the relevant context depends on the development.

34.3.6 The Borough has considerable residential densities but surprisingly modest building scales. For example, Victorian terraced housing in the Borough is typically of four storeys, providing 700 habitable rooms per hectare (hrh); Edwardian terraced mansion blocks at six storeys provide 970hrh. In North Kensington, the typical postwar estates are five and six storeys, providing 500hrh, much lower than in the Victorian period.

34.3.7 The Borough is a good example of how high density development can be completely compatible with a high quality environment. The design of a development must take into account the character and scale of the area, the need to foster good design and the Council's and community's aspirations for the site and area. The density of the development should be the outcome of this design process rather than the starting point. The density matrix in the London Plan needs to be considered in this context.

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<sup>1</sup> Land Registry (2009).

34.3.8 Developments close to the River Thames and the Grand Union Canal should have regard to and enhance the special character and distinctiveness of those areas. In conformity with the London Plan parts of the Borough adjoining the River Thames have been designated as the Thames Policy Area, to ensure developments in this area reflect the strategic role of the Thames in London.

34.3.9 A comprehensive approach should be taken towards site redevelopment to make the best use of the land and improve the appearance of the area. Where appropriate this should include an assessment of the development potential of nearby sites to avoid piecemeal and uncoordinated development.

34.3.10 Backland sites - sites surrounded by other development with limited or no street frontage - may be difficult to integrate into the surrounding context.

34.3.11 The many mews streets in the Borough form an integral part of the nineteenth century pattern of development of this area of London. They are an effective form of development for making good use of the space within larger perimeter blocks. Indeed, the mews as a feature of the townscape is one of the factors that distinguish 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.

34.3.12 Artists' studios represent a distinctive building type 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 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.

## **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, to contribute positively to the townscape through the architecture and urban form addressing matters such as 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;
- b. require development to respond to the local context;
- c. require the density of development to be optimised, but sensitive to context;
- 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. require the development of backland sites to 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 to enhance the character of the area;

h. ensure that, in carrying out alterations and extensions, the characteristics of the type of building, such as mews, terrace or mansion block, is preserved and enhanced;

i. resist the demolition of, and inappropriate alterations and extensions to, artists' studios.

## DESIGN QUALITY

34.3.13 The Royal Borough has a distinctive townscape of high quality, often characterised by a wide variety of architectural styles within relatively small areas. To renew the legacy, a sensitive approach to the architectural design of new buildings, and to extensions and modifications to existing buildings will be required to renew the legacy. This should be to a high quality, with very high quality expected within conservation areas.

34.3.14 Definitions of good design are many and varied. Design is often interpreted to be about appearance. But good design must also take account of functionality. The most commonly used set of objectives for good design in the built environment are character, continuity and enclosure, quality of the public realm, ease of movement, legibility, adaptability and diversity<sup>2</sup>. But the Council believes the three criteria set by Vitruvius: functional, robust and attractive, provide a timeless assessment of good design, and can be applied at any scale, from the design of a chair, to a building, or part of a city<sup>3</sup>.

34.3.15 Architecture is about more than just aesthetics. Functional issues such as crime prevention, accessibility and inclusivity must be integrated into the design at the outset in order for development to be fit for purpose. This approach will ensure that final architectural quality is not compromised.

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<sup>2</sup> These principles are from 'By Design, Urban design in the planning system: towards better practice', CABE, 2000. Whilst the Taylor review recommends cancellation of this guidance, the principles remain valid in considering good design.

<sup>3</sup> Vitruvius proposed that the creations of architecture should display three qualities: utilitas, firmitas and venustas. These were rendered into English in 1624 by Sir Henry Wotton as 'commodity, firmness and delight'. It is difficult to better this description, but we have used more conventional language for the 21st century.

34.3.15 Sustainability is also essential in good design and applies to all levels of development. It must be integrated into the whole design process from the beginning. The Local Plan as a whole is concerned with social, environmental and economic sustainability. In terms of architectural design the focus is on the use of resources. Detailed policies in this regard are set out in Chapter 36 'Respecting Environmental Limits'.

34.3.17 The distinctive townscapes of the Royal Borough vary from large buildings such as the museums and mansion blocks, through, the terraces, squares, crescents to the relative modesty of the mews. These, together with the garden squares, give a unique character to the Borough. In some places there are striking juxtapositions of buildings of different scale. A blanket design approach to new buildings and extensions would therefore not be appropriate. In some cases replicating the design of adjacent buildings will be more appropriate, in others a more contemporary approach will work, depending on the variety or uniformity and quality of the surrounding context.

~~34.3.18 Some buildings detract from their surroundings because of their scale or design. Where the redevelopment of such buildings comes forth, a flexible approach will be taken in order to facilitate redevelopment. Such buildings will only be identified through Supplementary Planning Documents or Development Planning Documents.~~

## **CL2 Design Quality**

The Council will require all development to be of the highest architectural and urban design quality, taking opportunities to improve the quality and character of buildings and the area and the way it functions.

To deliver this the Council will:

a. require development to be:

- i. Functional - fit for purpose and legible;
- ii. Robust - well built, remain in good condition and adaptable to changes of use, lifestyle, demography and climate;
- iii. Attractive - pleasing in its composition, materials and craftsmanship;
- iv. Locally distinctive - responding well to its context;
- v. Sustainable - in the use of resources, including energy, in construction and operation;
- vi. Inclusive - accessible to all;
- vii. Secure - designs out crime;

b. require an appropriate architectural style on a site by-site basis, in response to:

i. the context of the site;

ii. the building's proposed design, form and use;

iii. whether the townscape is of uniform or varied character;

~~c. facilitate the redevelopment of 'eyesores' by offering flexibility in relation to policies which make redevelopment with buildings more suited to their context demonstrably unviable.~~

## HERITAGE ASSETS - CONSERVATION AREAS AND HISTORIC PLACES

34.3.19 The historic environment is central to the character of the Borough and the Council has a duty<sup>4</sup> to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

34.3.20 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 interrelationship between them but it is also gained from whole and partial street views as well as views into and out of the area. Therefore development that impacts ~~on~~ setting, including the effect on views, gaps and vistas and other character and appearance issues identified in conservation area appraisal documents, needs to be assessed to ensure that the character and appearance of the area is conserved.

34.3.21 Where the quality of an area has been eroded, whether or not in a conservation area, the Council will take steps to ensure that new development and other schemes such as streetscape works improve the environment.

34.3.22 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.

34.3.23 The partial or full demolition of a heritage asset, or its alteration, whether it be a listed building or unlisted structure of historic or architectural merit, can cause irreversible damage to the character and appearance of our high quality townscape. The harm caused will therefore be carefully weighed up against any public benefit that might result. However, as heritage assets are irreplaceable, any harm or loss requires clear and convincing justification. Substantial harm to or the loss of a listed building, park or garden would be exceptional whilst that to the highest designated heritage assets would be wholly exceptional.

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<sup>4</sup> s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



34.3.24 As the majority of the Borough is covered by conservation areas, there are limited opportunities for new development because the presumption is to retain the original built fabric whether it faces the street or not, where it contributes positively to the character of the conservation area. New buildings should contribute to the character and appearance of the conservation area. There have been a number of instances of inappropriate or premature demolition in conservation areas. There have also been examples of buildings being allowed to deteriorate, followed by demolition. The Council will take all appropriate measures available to it to ensure that there is no incentive for such action.

34.3.25 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.

### **CL3 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.

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. resist substantial demolition in conservation areas unless it can be demonstrated that:
  - i. in the case of substantial harm or loss to the significance of a heritage asset it is necessary to achieve substantial public benefits that outweigh that harm or loss;
  - ii. in the case of less than substantial harm to the significance of a heritage asset, that the public benefits, including securing the optimum viable use, outweigh that harm;
  - iii. the building or part of the building or structure makes no positive contribution to the character or appearance of the area;
- d. require full planning applications in conservation areas.

### **HERITAGE ASSETS - LISTED BUILDINGS, SCHEDULED ANCIENT MONUMENTS AND ARCHAEOLOGY**

34.3.26 There are about 4000 listed structures in the Borough. In addition to buildings, local historic features such as memorials (particularly war memorials, including those on private land or within buildings), statues, plaques, coal plates,

horse and cattle troughs and historic bollards, post boxes and historic telephone boxes are historic assets worthy of protection, whether listed or not. The Borough contains two Scheduled Ancient Monuments: the Brick Kiln in Walmer Road and Kensington Palace.

34.3.27 Listed buildings and scheduled ancient monuments can be negatively affected not only by inappropriate additions, internal and external alterations, and demolition, but also by inappropriate use and unsympathetic neighbouring development. Such changes can diminish the architectural and historic value and detract from their setting.

34.3.28 The setting of a listed building and the surroundings in which it is experienced can also contribute to its special interest. The extent of relevant setting will be proportionate to the significance of the asset.

34.3.29 The special architectural or historic interest of listed buildings goes beyond appearance. It includes the integrity of the building as a whole, the location and hierarchy of rooms, historic floor levels, the structure of the building including foundations, as well as features such as original staircases, original roof structures, later additions, and other features identified as being of significance.

34.3.30 When development takes place to listed buildings, it is appropriate to take opportunities to reinstate missing features which are considered important to their special interest or to remove additions or modifications that harm the significance of the building.

34.3.31 Listed buildings are best used for their original purpose. Where that original purpose has become obsolete, sensitive adaptation can be possible.

34.3.32 The standard of workmanship in carrying out modifications to historic structures is not something that is readily controlled through the planning system. It is, however, of vital importance to the quality of the building, and owners are urged to employ the appropriate specialists.

34.3.33 Archaeological remains constitute the principal surviving evidence of the Borough's past, but are a finite and fragile resource. The destruction of such remains, by development, should be avoided to ensure the Borough's past is not lost forever.

#### **CL 4 Heritage Assets - Listed Buildings, Scheduled Ancient Monuments and Archaeology**

The Council will require development to protect the heritage significance of listed buildings, scheduled ancient and sites of archaeological interest.

To deliver this the Council will:

a. require all development and any works for alterations or extensions related to listed buildings, scheduled ancient monuments and sites of archaeological interest, to preserve the heritage significance of the building, monument or site or their setting

or any features of special architectural or historic interest;

b. resist the demolition of listed buildings in whole or in part, or the removal or modification of features of architectural importance, both internal and external;

c. require the preservation of original architectural features, and later features of interest, both internal and external;

d. require the reinstatement or removal of internal or external architectural features of listed buildings or scheduled ancient monuments, where harm is caused to the significance of the asset commensurate with the scale level of the proposed development;

e. resist the change of use of a listed building that would materially harm its character;

f. require any work to a listed building to sustain the significance of the heritage asset and as such strongly encourage any works to a listed building to be carried out in a correct, scholarly manner by appropriate specialists;

g. require desk based assessments and where necessary archaeological field evaluation before development proposals are determined, where development is proposed on sites of archaeological significance or potential.

## LIVING CONDITIONS

34.3.34 The Borough's dense historic pattern of development and the close proximity of buildings mean that new buildings and extensions need to take careful account of the living and working conditions of neighbours, with particular regard to natural light, light pollution, privacy, noise and disturbance.

34.3.35 The historic character and dense nature of the Borough means that the living conditions that might be expected elsewhere in modern developments are most unlikely to be achieved here. Particular attention needs to be paid to these matters to attempt to address rising public expectations in relation to living conditions, including access to open space. However, implementing living conditions by fixed standards, normally derived from modern suburban development, could undermine the Council's duty to preserve and enhance the character and appearance of conservation areas. It is the overall design, taking all factors into account including the area's character, that will be the determinant of whether a proposal provides reasonable living conditions.

34.3.36 In assessing whether sunlight and daylight conditions are good, both inside buildings and in gardens and open spaces, the Council will have regard to the most recent Building Research Establishment guidance, both for new development, and for properties affected by new development.

34.3.37 Issues of daylight and sunlight are most likely to occur where the amount of adjoining habitable accommodation is limited, or situated within the lower floors of

buildings with openings on to lightwells. Mathematical calculation to assess daylighting and sunlighting may be an inappropriate measure in these situations; on site judgment will often be necessary.

34.3.38 When considering privacy, a distance of about 18 metres between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people, but there are many instances in the historic fabric of the Borough of distances less than this. Privacy of gardens and courtyards is also important.

34.3.39 Terraces on roofs of main buildings or extensions can be visually intrusive and result in serious intrusion into the privacy and quiet enjoyment of neighbouring residential properties. They can, however, provide a valuable small area of open space for residents.

34.3.40 An overbearing or over-dominant sense of enclosure can significantly reduce the quality of living conditions both inside and outside. The impact on the sense of enclosure, is dependent on on-site judgment.

34.3.41 The level and type of activity generated by the development in its final form, as well as during construction, can affect the conditions of building users, through increased traffic, parking, noise, odours and vibrations in addition to impacts created by the development's physical structure which can have microclimatic effects. The anticipated level of activity as well as the effects on the local microclimate should be taken into consideration.

## **CL5 Living Conditions**

The Council will require all development ensure good living conditions for occupants of new, existing and neighbouring buildings.

To deliver this the Council will:

- a. require applicants to take into account the prevailing characteristics of the area;
- b. ensure that good standards of daylight and sunlight are achieved in new development and in existing properties affected by new development;
- c. require that there is reasonable visual privacy for occupants of new development and for occupants of existing properties affected by new development;
- d. require that there is no harmful increase in the sense of enclosure to existing buildings and spaces neighbouring gardens, balconies and terraces;
- e. require that the reasonable enjoyment of the use of buildings and spaces is not harmed due to increases in traffic, servicing, parking, noise, disturbance, odours or vibration or local microclimatic effects.

## SMALL-SCALE ALTERATIONS AND ADDITIONS

34.3.42 There is great pressure for the adaptation of buildings in the Borough.

34.3.43 Small-scale alterations and additions comprise minor external changes to the appearance of a building or its curtilage, including balustrades, alarms, cameras, [awnings](#), grilles, shutters and other security equipment; servicing, plant and telecommunications equipment; removing physical barriers to access; railings, walls, piers, gates and forecourt parking; signs which that are not advertisements, flagpoles and balconies and terraces.

34.3.44 Although small alterations and additions may have a negligible impact, if unsympathetically designed and sited, they may individually harm the appearance of a building or its setting. It is the individual and cumulative effect of these small-scale alterations and additions which can negatively impact on the Borough's overall high quality townscape. Their control is, therefore, a matter of strategic importance.

34.3.45 A high proportion of the Borough's dwellings are flats<sup>5</sup>. Whilst dwellinghouses have permitted development rights, buildings such as mansion blocks, often in multiple ownership, do not have such rights. The Council receives a high number of planning applications affecting these types of properties. A consistent approach to alterations and additions across the building can ensure that the visual coherence of the building is maintained.

### CL6 Small-scale Alterations and Additions

The Council will require that alterations and additions do not harm the existing character and appearance of the building and its context.

To deliver this the Council will resist small-scale development that:

- a. harms the character or appearance of the existing building, its setting or townscape;
- b. results in a cumulative effect which would be detrimental to the character and appearance of the area;
- c. is not of high quality form, detailed design and materials or is not discreetly located;

**Basements supporting text, and policy CL7 Basements will be inserted here subject to separate consultation**

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<sup>5</sup> RBKC Housing Needs Assessment 2009.



## **EXISTING BUILDINGS - ROOF ALTERATIONS/ADDITIONAL STOREYS**

34.3.74 Additional storeys and roof level alterations may change the character of the street, the skyline as seen from neighbouring houses and streets, and daylighting and sunlighting to neighbouring properties.

34.3.75 Proposals, must be assessed carefully and ensure they do not individually or cumulatively dominate the original building or surrounding townscape, or detract from architecturally interesting skylines.

34.3.76 Terraces that change their architectural style, character or height but are joined are considered as separate terraces. Roof extensions on one are not regarded as precedents for the other terraces within the street.

### **CL8 Existing Buildings – Roof Alterations/Additional Storeys**

The Council will require roof alterations and additional storeys to be architecturally sympathetic to the age and character of the building and group of buildings.

To deliver this the Council will:

- a. permit additional storeys and roof level alterations where the character of a terrace or group of properties has been severely compromised by a variety of roof extensions and where infilling between them would help to reunite the group;
- b. resist additional storeys, and roof level alterations on:
  - i. complete terraces or groups of buildings where the existing roof line is unimpaired by extensions, even when a proposal involves adding to the whole terrace or group as a co-ordinated design;
  - ii. buildings or terraces that already have an additional storey or mansard;
  - iii. buildings that have a roof structure or form of historic or architectural interest;
  - iv. buildings that are higher than surrounding neighbours, or where they would detract from significant skylines or profiles;
  - v. buildings or terraces where the roof line or party walls are exposed to long views from public spaces, and where they would have an intrusive impact on that view or would impede the view of an important building or open space beyond;
  - vi. buildings that, by the nature of the roof construction and architectural style, are unsuitable for additional storeys, e.g. pitched roofs with eaves;
  - vii. mansion blocks of flats where an additional storey would add significantly to the bulk or unbalance the architectural composition;
  - viii. terraces that are already broken only by isolated roof additions.

## **EXISTING BUILDINGS - EXTENSIONS AND MODIFICATIONS**

34.3.77 The combination of the Borough's high land values, high residential densities, modest building heights and the expanse of the conservation areas, has resulted in pressures for a wide variety of residential extensions and modifications.

34.3.78 It is important that extensions and modifications, including conservatories, respect those aspects of character and integrity of the original building and group of buildings that contribute to local distinctiveness such as height, width, depth, building line, footprint, position, symmetry, rhythm, materials, finishes, detailed design, proportions or dimensions of fenestration, important gaps and a sense of garden openness.

34.3.79 The rear and sides of some buildings may also be distinguished architecturally. Where, for example, they overlook communal gardens, these elevations may be of as much importance as the front. Whilst these elevations of buildings are generally subordinate to the front, they often have a simple dignity and harmony which makes them attractive.

34.3.80 Extensions and infill development may have an unfortunate effect in closing an important townscape gap, or in unbalancing an otherwise symmetrical elevation of a terrace, detached or semi-detached property.

34.3.81 Conservatories are a popular form of residential extension in the Borough. They are principally garden features and should be located with this principle in mind. It is important that they fit in with the historic character of the Borough and therefore their location in relation to the building and garden, their impact on neighbouring properties, their size and detailed design will be carefully considered.

34.3.82 Some modifications to buildings have the potential to cause harm, especially if they are not sensitive to the original character of the building or their cumulative impact detracts from the external appearance of the building. Conversely, if handled in a careful and sympathetic manner they have the potential to result in an improvement to the quality and character of the building. Such details may include changes to windows or glazing patterns; projecting mouldings; chimneys and other architectural details; front walls; railings; the replacement of panelled entrance doors; the repair or replacement of stucco; the permanent removal of projected mouldings and the rendering or painting of a brick-faced building.

### **CL9 Existing Buildings – Extensions and Modifications**

The Council will require extensions and modifications to existing buildings to be subordinate to the original building, to allow the form of the original building to be clearly understood, and to reinforce the character and integrity of the original building, or group of buildings.

To deliver this the Council will resist proposals for extensions if:

- a. the extension would extend rearward beyond the existing general rear building line

of any neighbouring extensions;

b. the extension would rise above the general height of neighbouring and nearby extensions, or rise to or above the original main eaves or parapet;

c. the extension would spoil or disrupt the even rhythm of rear additions;

d. the detailed design of the addition, including the location or proportions or dimensions of fenestration or the external materials and finishes, would not be in character with the existing building;

e. the extension would breach the established front building line;

f. an important or historic gap or view would be blocked or diminished;

g. the architectural symmetry of a building, terrace or group of buildings would be impaired;

h. the original architectural features on a formal flank elevation would be obscured;

i. access to the rear of the property or of those adjoining would be lost or reduced;

j. a conservatory is proposed to be located at roof level, significantly above garden level or on a corner site.

## SHOPFRONTS

34.3.83 Shopfronts<sup>6</sup> within the Borough play a key part in establishing and defining the visual character of our high streets and shopping parades. The Borough has many fine examples of shopfront design ranging from the mid-19th Century through to today. While the careful restoration of some of these early examples is important for maintaining our highly valued built heritage, particular emphasis is placed on ensuring high standards of design for all shopfronts, be they of traditional, modern or contemporary style and to ensure they are inclusive for all.

34.3.84 In old buildings, the original fascia and pilasters or columns which form the frame of the shopfront are often integral to the character of the building.

34.3.85 Modern shopfronts are often temporary street features adapting constantly to changing retail demands. It is important that transient retail fashions do not disrupt the character of a building to achieve short-term requirements. House styles may have to be adapted to fit in with the age and character of the building in which the shopfront is situated.

34.3.86 Open shopfronts can break up the continuity of a street frontage and leave undesirable gaps in a shopping parade. The creation of an open shopfront affects the form of the space between the buildings. The facades present an envelope which

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<sup>6</sup> Shopfronts refer to ground floor entrances of Class A uses and other commercial and non-commercial uses typically found within town centres and shopping parades.

defines the space and its character; the sudden appearance of a large opening within the envelope leaves a gap in the shopping parade, so that the space itself is altered. The facade above is also left visually unsupported, the vertical elements resting uncomfortably on a void.

34.3.87 The under-use of the upper floors or retail premises is of concern to the Council. In the event that they are not required for retail purposes, a separate access will be needed for residential or office use. It is thus important to prevent the removal of separate access unless this is to bring the upper floors into active retail use, making the unit as a whole a more viable retail unit. New independent access arrangements must not undermine the functionality of the retail use.

34.3.88 It is important to control blinds and awnings because, if poorly designed or over-prominent, they can detract from the appearance of buildings and be obtrusive features in the street scene.

34.3.89 Security shutters to shop fronts can prevent light from spilling into the street at night, and create a deadening effect that many people feel creates a threatening environment, undermining the vitality and attractiveness of areas with shops out of hours.

## **CL10 Shopfronts**

The Council will require shopfronts to relate well to the buildings above and to either side to provide an attractive setting for the display of goods and to drive up the quality of the area.

To deliver this the Council will:

- a. require alterations to existing shopfronts to preserve those elements that contribute to their traditional character, such as corbels, part-glazed doors, fascia, glazing bars, pilasters, and stallrisers, awnings and blinds;
- b. require new, and alterations to existing shopfronts, to:
  - i. respect the building's original framework;
  - ii. have a positive visual impact on the appearance of the building or streetscene;
  - iii. respect the character of the building in relation to siting and design of awnings and blinds;
  - iv. be inclusive for all;
  - v. maintain existing independent access to upper floor accommodation;
- c. require, where shop units are combined, new shopfronts and signage to be installed within the original surrounds and not to obscure them;
- d. resist new shopfronts that would involve the removal of existing separate access

to residential accommodation;

e. resist open shopfronts;

f. resist external security shutters that have a solid appearance.

## **IEWS**

34.3.90 The quality and character of an area is not only provided by the individual buildings but it is also gained from views into, within, and out of the area. When considering development that will impacts on views, vistas and gaps, it is important to respect the local context.

34.3.91 The Borough contains some of the best examples of Victorian and Edwardian townscape in London. Overall, the residential environment is of the highest quality. This is evident not only in the public realm, but also at the rear and sides of properties, particularly around areas of private gardens. The presence of mature rear gardens and greenery softens the dense urban scene and provides relief and visual interest when viewed from the street through gaps between buildings or when a corner building has an open return frontage. A similar pleasant contrast may occur by a view of the sky or rear elevations of nearby properties.

34.3.92 Residents' appreciation and enjoyment of the Borough as a whole and the special character and appearance of conservation areas in particular derives from both public viewpoints and views from within their dwellings. Not only the street scenes, but views from other buildings, including upper floors, and gardens, are important to residents living conditions. These will be considered proportionate to the significance of the view. In particular, careful regard will be had to conservation area appraisal documents.

34.3.93 On the rare occasions that development has an impact beyond the immediate street, a wider assessment of the impact needs to be carried out in accordance to the methodology set out in the Views and Building Heights SPD.

34.3.94 It is important that the impact of development on views within the townscape, including in and around conservation areas, as well as of landmarks defining points of townscape interest is taken into account. In addition to the strategic view from St Paul's to King Henry's Mount in Richmond Park, identified in the London Plan, the Borough also has specifically recognised views that are important to protect. These are set out in the Views and Building Heights SPD.

### **CL11 Views**

The Council will require all development to protect and enhance views, vistas gaps and the skyline that contribute to the character and quality of the area.

To deliver this the Council will:

a. resist development which interrupts, disrupts or detracts from strategic and local



vistas, views, and gaps and the skyline;

b. require developments whose visual impacts extend beyond that of the immediate street, to demonstrate how views are protected or enhanced;

c. require, within conservation areas, development to preserve or enhance views:

i. identified in conservation area appraisals;

ii generally within, into, and out of conservation areas, including the rear of properties;

iii that affect the setting of and from development on sites adjacent to conservation areas and listed buildings;

d. require development to respect the setting of a landmark, taking care not to create intrusive elements in its foreground, middle ground or background.

## **BUILDING HEIGHTS**

34.3.95 The relatively modest and consistent height of building within Kensington and Chelsea reflects the primarily residential character of the Borough. High residential densities are delivered without recourse to tall buildings. This pattern of development with its low to medium-rise, high-density residential areas, has produced a very attractive townscape, and is central to the Borough's charm.

34.3.96 New buildings can strengthen the traditional townscape, both through individual buildings carefully designed to respect their immediate context and through larger developments, which can seek to introduce new legible environments consistent with the Borough's character. (See Policy CR2 Three-dimensional Street Form).

34.3.97 Where new larger developments are proposed some variation in roofscape and height can provide visual interest to the streetscape and avoid overbearing and bulky building forms. This could mean differentiation in roof forms and roof lines within parameters based on the prevailing building height, to break up large blocks and reflect the predominantly domestic scale of the Borough.

34.3.98 Tall buildings are very much the exception: Trellick Tower is the tallest at 98m. Building height is thus a critical issue and a very sensitive feature of the townscape. It is important that the Council carefully manages the height of new development that may otherwise erode the Borough's distinctive character.

34.3.99 Tall buildings have a greater impact on their environment than other building types, posing problems of microclimate, overshadowing and overlooking. This is especially harmful to residential environments and amenity spaces, and needs to be avoided through careful siting and design (see Policy CL5).

34.3.100 Tall buildings in the wrong location can be visually disruptive. They can harm the character and appearance of a conservation area, the setting of a listed building, the visual amenity of important open space; and they can interrupt views.

34.3.101 It is not enough to ensure that their location avoids causing harm; tall buildings should also make a positive contribution to the existing townscape. This is not just a matter of design quality, but also of contributing to legibility and to the skyline. Buildings that rise above the prevailing building height are successful where, depending on their impact, they give meaning to the local or Borough townscape, highlighting locations or activities of public importance.

34.3.102 Local landmarks are occasional features in the Borough that define points of townscape interest or public functions relevant to those living or working within the immediate areas. A local landmark does not have to distinguish itself by its height, for example, the Michelin Building at Brompton Cross. Where they do, they will tend not to be more than one and a half times higher than the surrounding buildings, and remain compatible with their context. Regardless of location, local landmarks should always be of very high design quality and occasional features if they are to retain their meaning.

34.3.103 District landmarks are significantly taller than the surrounding townscape. They are visible over a wider area and tend to highlight major public functions. These are characteristically up to four times higher than the surrounding buildings and are not typical of the Borough. They are exceptionally rare in the Borough's townscape of predominantly low to medium rise development, and will remain very occasional features. Because of their visibility, the location and use of district landmarks must be significant to the Borough as a whole.

34.3.104 Care is needed to ensure that visibility is assessed contextually to ensure that proposals that exceed the prevailing building height have a positive visual impact and do not appear incongruous within their surroundings. A computer generated zone of visual influence that includes an accurate model of the relevant context is an essential tool in assessing the visual impact of buildings significantly taller than the surrounding townscape.

34.3.105 Very tall buildings, more than four times the height of their context, characterise central metropolitan areas which is not characteristic of the Borough.

34.3.106 A design-led approach to taller buildings is essential. In such cases the Council will promote close working with stakeholders and, where appropriate, with strategic and neighbouring authorities in the production of an urban design framework that will guide the siting and appropriate height of buildings, particularly in relation to existing views to ensure a wholly positive benefit to the townscape. Full planning applications are important for tall buildings to ensure this design-led approach is fulfilled.

34.3.107 Height is not the only factor which is important when assessing tall buildings. District landmarks should be of an exceptional quality of architecture, sustainability and urban design. Successful tall buildings possess an architecture that is convincing and highly attractive, especially when viewed in the round, and that makes for a distinguished landmark on the skyline. This requires the skilful handling

of scale, height, massing, silhouette, crown and facing materials and the careful incorporation of building services and telecommunications equipment. The profile and proportion of the building, especially the part that sits above the prevailing building height, is also a sensitive feature. Bulky tall buildings are not attractive to look at and disfigure the skyline; slender ones are more successful.

34.3.108 Design quality applies equally to the base. At lower levels it is not only the impact on the streetscape and local views, but also how the building functionally relates to the street. Successful tall buildings are those that create meaningful public realm, interacting positively with the surrounding buildings and spaces. This includes contributions to permeability and connectivity, defining edges that reinforce existing building lines and give a coherent form to open space, and providing active ground floor frontages and a stimulating and inclusive public realm (see Policies CR1 and CR2).

### **CL12 Building Heights**

The Council will require new buildings to respect the setting of the Borough's valued townscapes and landscapes, through appropriate building heights.

To deliver this the Council will:

- a. require proposals to strengthen our traditional townscape in terms of building heights and roofscape by requiring developments to:
  - i. reflect the prevailing building heights within the context;
  - ii. provide, for larger developments, a roofscape that reflects that of the context of the site;
  - iii. seldom use height to express local landmarks so the prevailing building height is maintained;
- b. resist buildings significantly taller than the surrounding townscape other than in exceptionally rare circumstances, where the development has a wholly positive impact on the character and quality of the townscape;
- c. require full planning applications for any building that exceeds the prevailing building height within the context.

## **AN ENGAGING PUBLIC REALM**

### **Policy CR1 Street Network**

No changes proposed

### **Policy CR 2 Three-dimensional Street Form**

No changes proposed

### **Policy CR 3 Street and Outdoor Life**

No changes proposed

## **STREETSCAPE**

33.3.16 Much of the Borough lies within one of thirty-seven conservation areas. The Council has a duty to ensure that new development within a conservation area preserves or enhances the character or appearance of that area. Street furniture, such as guardrails and signs, can both detract from this local character and hinder the safe passage for people with sensory and mobility difficulties.

33.3.17 The excellent quality of our public realm is constantly under threat from poorly designed or uncoordinated development and the paraphernalia used to control traffic and pedestrians, public utility equipment, street furniture and advertising. This undermines the very quality that everyone values. The Council's 'Renewing the Legacy: 21 Projects for the 21st Century' included the creation of the Royal Borough Streetscape Guide. This sets out principles of good design, such as more white lighting, the use of York stone, less clutter, sensitively designed street furniture and more public art.

33.3.18 Advertising hoardings and freestanding adverts can have a negative impact on visual amenity and can also have serious implications for public and road safety.

33.3.19 Front gardens offer a valuable contribution to the streetscape. The loss of front gardens to off-street parking has long had harmful effects upon visual amenity and townscape quality. It can also reduce public safety.

33.3.20 Public art can promote civic pride and help create of a sense of place and promote local distinctiveness.

### **CR 4 Streetscape**

The Council will require improvements to the visual, functional and inclusive quality of our streets, ensuring they are designed and maintained to a very high standard, that street clutter is removed and that street furniture, advertisements and signs are carefully controlled to avoid clutter to support the Council's aim of driving up the quality of the Borough's streetscape.

To deliver this the Council will:

- a. require all work to, or affecting, the public highway, to be carried out in accordance with the Council's Streetscape Guidance;
- b. require all redundant or non-essential street furniture to be removed;
- c. retain, and seek the maintenance and repair of, historic street furniture such as post boxes and historic telephone kiosks, where this does not adversely impact on the safe functioning of the street;
- d. require that where there is an exceptional need for new street furniture that it is of high quality design and construction, and placed with great care, so as to relate well to the character and function of the street;
- e. resist adverts that by reason of size, siting, design, materials or method of illumination, including on street furniture, harm amenity or public or road safety;
- f. resist freestanding structures such as telephone kiosks where the function for the display of adverts over-dominates the primary purpose for the structure, whether sited on streets, forecourts or roadsides;
- g. resist pavement crossovers and forecourt parking;
- h. require all major development to provide new public art that is of high quality and either incorporated into the external design of the new building or carefully located within the public realm.

## **PARKS, GARDENS, OPEN SPACES AND WATERWAYS**

33.3.21 The benefit of open space is wider than pure aesthetics, it also provides a valuable recreational resource, and contributes to wildlife habitats and biodiversity and has benefits in minimising noise and air pollution. The Borough has a long history and tradition of high quality parks and gardens, such as Kensington Gardens, the Physic Garden, Holland Park, Royal Hospital and Ranelagh Gardens.

33.3.22 There are 100 garden squares within the Borough. There are also 15 open spaces on England's Registered Parks and Gardens<sup>7</sup>, including Kensington Gardens, Holland Park, Brompton and Kensal cemeteries and Kensington Roof Gardens, the latter being the only roof garden on the national register.

33.3.23 The Borough contains four areas of Metropolitan Open Land (MOL): Kensington Gardens, Holland Park, Brompton and Kensal cemeteries. These areas provide attractive breaks in the built-up area, provide open air facilities and contain features or landscapes of historic, recreational, or natural importance.

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<sup>7</sup> Register of Parks and Gardens of Special Historic Interest in England compiled by English Heritage



33.3.24 Holland Park and Kensington Gardens are the main public open spaces in the Borough. Hyde Park, although entirely in the neighbouring borough of the City of Westminster, also makes a particular contribution to open space which is accessible to residents of the Borough. However, much of the Borough, particularly in the south, lies beyond a 5 minute (400m) walk to the nearest public open space. In spite of this, there is a strong green amenity to the area, with numerous garden squares and street trees.

33.3.25 The Parks Strategy, Local Biodiversity Action Plan, the Play Strategy and regular updating of Playable Spaces Audits provide both a qualitative and quantitative audit of play and open spaces in the Borough. There are limited opportunities to create larger areas of public open space because of the location and potential size of development opportunities and the fact that many sites have constrained boundaries. Small areas of open space might be possible, but these are often better managed if they are communal<sup>8</sup> to the adjacent development, rather than public - as the garden square tradition of this Borough demonstrates. The provision of new public open space is, therefore, not seen as a strategic issue for this Borough, and will be assessed on a case by case basis, using the up-to-date information from on-going audits of play and open space. Contributions towards the maintenance of the existing public open spaces with appropriate play facilities will be sought from developers while communal external open space which can greatly improve the quality of life of residents, can be designed into quite small schemes. This will therefore, be the focus of our policy.

33.3.26 Maintaining open spaces ensures the ecological and biological diversity of the Borough and contributes positively not only to wildlife habitats but also to the quality of life for residents and those visiting and working here. Optimising wildlife habitat ensures that the Borough and London provides feeding, breeding and nesting areas for a variety of bird and mammal species, which are often marginalised by increasing development pressures.

33.3.27 In the north, the Borough is bounded by the Grand Union Canal, which is currently viewed as a physical barrier to movement. However, it is a valuable public realm asset and its potential to provide for improved biodiversity as well as amenity space and pedestrian and cycle links should be exploited.

33.3.28 The River Thames forms the southern boundary, and like the Grand Union Canal to the north, the potential of the Thames as a leisure, recreation, biodiversity and transport resource remains under utilised. The River Thames is an important transport route, and with its foreshore and banks is a unique open space with a special environmental character-~~and reduce the river's potential as a navigable waterway~~. Permanently moored vessels or the extension of riverside sites into the river can have a detrimental effect ~~and reduce the river's potential as a navigable waterway~~.

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<sup>8</sup> such as a private garden square

## **CR 5 Parks, Gardens, Open Spaces and Waterways**

The Council will protect, enhance and make the most of existing parks, gardens, open spaces and waterways, and require new high quality outdoor spaces to be provided.

To deliver this the Council will, in relation to:

### **Parks, Gardens and Open Spaces**

a. resist the loss of existing:

i. Metropolitan Open Land;

ii. public open space;

iii. private communal open space and private open space where the space contributes to the character and appearance of the area;

b. resist development that has an adverse effect upon the environmental and open character, appearance and function of Conservation Areas, Metropolitan Open Land or sites which are listed within the Register of Parks and Gardens of Special Historic Interest in England, or their setting;

c. resist development that has an adverse effect on garden squares and communal gardens, including proposals for basements;

d. require all major development outside a 400m radius of the closest entrance to the nearest public open space to make provision for new open space which is suitable for a range of outdoor activities for users of all ages, which may be in the form of communal garden space. Where this is not possible for justified townscape reasons, that a s106 contribution is made towards improving existing publicly accessible open space;

e. require all major residential developments to provide on-site external play space, including for under-fives, based on expected child occupancy;

f. require all green open space to optimise biodiversity and wildlife habitat;

g. protect the open spaces surrounding the Royal Hospital from inappropriate development both in the landscaped areas themselves and in the neighbouring streets;

### **Waterways**

h. require opportunities to be taken to improve public access to, and along the Thames and the Grand Union Canal, and promote their use for education, tourism, leisure and recreation, health, well-being and transport;

i. resist permanently moored vessels on the River, except where they would not have:

ii. a detrimental effect on the river as a transport route and its special character, including biodiversity;

iii. an adverse affect on the character or appearance of the existing residential moorings at Battersea Reach;

j. permit residential moorings on the Grand Union Canal provided that:

i. there are adequate services for permanently moored vessels;

ii. other canal users (both water and land-based) are not adversely affected.

### **Policy CR 6 Trees and Landscape**

The Council will require the protection of existing trees and the provision of new trees that complement existing or create new, high quality green areas which deliver amenity and biodiversity benefits.

To deliver this the Council will:

a. resist the loss of trees unless:

i. the tree is dead, dying or dangerous;

ii. the tree is causing significant damage to adjacent structures;

iii. the tree has little or no amenity value;

iv. felling is for reasons of good arboricultural practice;

b. resist development which results in the damage or loss of trees of townscape or amenity value;

c. require where practicable an appropriate replacement for any tree that is felled;

d. require that trees are adequately protected throughout the course of development;

e. require new trees to be suitable species for the location and to be compatible with the surrounding landscape and townscape;

f. require landscape design to:

i. be fit for purpose and function;

ii. be of a high quality and compatible with the surrounding landscape, and

townscape character;

iii. be clearly defined as public or private space;

iv. optimise the benefit to wildlife habitat;

g. serve Tree Preservation Orders or attach planning conditions to protect trees of townscape or amenity value that are threatened by development.