

**Conservation and Design Policy Review**  
Draft policy changes – March 2013

This paper sets out the proposed changes to policy as a result of the consultation (6<sup>th</sup> December 2012 – 31 January 2013). The consultation concerned the amalgamation of policies in the Core Strategy (Renewing the Legacy and An Engaging Public Realm chapters) with those remaining 'CD' policies from the UDP.

**Detailed Table of Proposed Changes**

The existing policy (either from the Core Strategy [black text] or from the UDP [blue text] is set out in the first column.

The proposed 'synthesised' policy is set out in the third column, with explanatory notes in the second.

The fourth column shows the comments received within the consultation period; the fifth contains our response; and the final column shows and revisions to policy in light of the comments.

**Renewing the Legacy Chapter**

| Existing Policy   | Comments on Changes<br>December 2012  | Proposed Policy with Changes<br><del>deleted text struck through, new text underlined in red</del> (6 <sup>th</sup> December 2012)   | Public Consultation Responses<br>Collected 6 Dec 2012 – 31 Jan 2013   | Council Comments<br>March 2013  | Proposed Changes - 2 <sup>nd</sup> Draft Policy<br>March 2013  |
|---|---|--|---|---|--|
| <b>CL1<br/>Context and Character</b>  |   | <b>CL1<br/>Context and Character</b>   |   |   |  |
| 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.   | Small fine tunings  | The Council will require all development to respect <del>the</del> 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.  | None  | No change   | The Council will require all development to respect <del>the</del> 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:   |   | To deliver this the Council will:  |   |   | To deliver this the Council will:  |
| CL1(a). require development through its architecture and urban form to contribute positively to the context of the townscape, addressing matters such as scale, height, bulk, mass, proportion, plot width, building lines, street form, rhythm, roofscape, materials, vistas, views, gaps and historic fabric; | Amend text to tighten policy slightly and to reflect comments in public workshop: include 'open space'.<br><br>In drafting the CS we tried to avoid 'appropriate' to avoid 'what does that mean' – but is that too pedantic? It is a useful word... | a. require development, through its architecture and urban form, <del>to contribute positively to the context of the townscape, addressing matters such as</del> <u>through matters such as appropriate</u> scale, height, bulk, mass, proportion, plot width, building lines, street form, rhythm, roofscape, materials <u>and historic fabric as well as</u> vistas, views, gaps, <u>and open space</u> ; <del>and historic fabric</del> ; | <b>Comment ID: 13</b><br>(a) Meaning? Maybe separate out vehicular and pedestrian access?<br><br><b>Comment ID: 68</b><br>Policy CLI part a. * We propose that further clarification of the phrases 'contribute positively' and 'appropriate scale' should be provided to enable applicants to fully understand the requirements of this policy.  | Comment 13 does not appear to relate to the policy<br><br>The term 'contribute positively' is expanded on with examples of how this can be achieved. Its positive contribution depends on site circumstance, and cannot be set out prescriptively in a policy for the whole borough. Considered to be sufficiently clear.<br><br>Term 'appropriate' has been removed. | a. require development, <u>to contribute positively to the context of the townscape through the architecture and urban form addressing matters such as</u> <del>through its architecture and urban form, to contribute positively to the context of the townscape, addressing matters such as</del> scale, height, bulk, mass, proportion, plot width, building lines, street form, rhythm, roofscape, materials <u>and historic fabric as well as</u> vistas, views, gaps, <u>and open space</u> ; <del>and historic fabric</del> ; |
| CL1(b). require the analysis of context to be drawn from an area that is proportionate and relevant to the size of the development site;  | No change   | b. require the analysis of context to be drawn from an area that is proportionate and relevant to the size of the development site;  | None  | Text simplified   | b. <u>require development to respond to the local context</u> ; <del>require the analysis of context to be drawn from an area that is proportionate and relevant to the size of the development site;</del>  |
| CL1(c). require the density of development to be optimised relative to context;   | Amend text to reflect comments in public workshop: remove 'optimise' – encourages overdevelopment? See also comment on 'appropriate' at CL1(a) above  | c. require the density of development to be <del>optimised relative</del> <u>appropriate</u> to context;   | <b>Comment ID: 68</b><br>Policy CL1 part c. * Further clarification and an explanation of the term 'appropriate to context' would be welcomed to ensure that applicants fully understand the requirements of this policy.<br><br><b>Comment ID: 133</b><br>CL1(c) Reinstate "optimised" – a London Plan requirement that ensures making the most effective use of land subject to the context | Comments from workshop strongly opposed term 'optimise' due to its possible interpretation as encouraging overdevelopment. Text altered to reflect this.  | c. require the density of development to be optimised, <u>but sensitive</u> relative to context;   |
| CL1(d). require riverside and canalside development to enhance the waterside character and setting, including opening up views and securing access to the   | No change   | d. require riverside and canalside development to enhance the waterside character and setting, including opening up views and securing access to the waterway;   | <b>Comment ID: 76</b><br>We are pleased with the amendments made within this policy. Particularly sections 'D' and 'E' where the importance of the waterways  | No change.  | d. require riverside and canalside development to enhance the waterside character and setting, including opening up views and securing access to the   |

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| waterway;   |   |   | and the requirement for future development to enhance the existing environment has been highlighted.  |  | waterway;  |
| CL1(e). resist development which interrupts, disrupts or detracts from strategic and local vistas, views and gaps;  | Move to <b>Views</b> policy   |   |   |  |  |
|   | New policy to reference Thames Policy Area  | <u>e. require development within the Thames Policy Area to protect and improve the strategic importance and iconic role that the Thames plays in London;</u>  | <b>Comment ID: 12</b><br>(e) What's the practical significance of this statement? "strategic"? "iconic"   | Policy introduced to refer to requirement of London Plan ensuring development has regard to the Thames Policy Area in relationship with wider London area.   | <u>e. require development within the Thames Policy Area to protect and improve the strategic importance and iconic role that the Thames plays in London;</u>   |
| CL1(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.  | No change   | <b>f.</b> 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.  | <b>Comment ID: 133</b><br>CL1(f) What does this mean? Can this be made a lot clearer?   | Considered to be sufficiently clear. No change.  | <b>f.</b> 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;   |
| <b>CD31</b> To resist the development of backland sites if:<br>a) there would be inadequate vehicular access, or<br>b) the amenity of adjoining properties would be adversely affected, or<br>c) there would be a loss of open space, or<br>d) the character of the area would be harmed. | Re-working of CD31 (a) and (d). Arguably the whole policy is covered by other policies – vehicular access and layout issues by CR policies, amenity by CL5, and character by this policy (CL1). However, may be as well to keep it as 'backland' is sometimes seen as a special case. However, the amenity clause (b) is not needed as CL5 covers this well. (c) is proposed to be deleted as it would seem to remove any potential for development – unless it is changed to refer to loss of public open space – in which case it is covered by CR policies elsewhere.<br><br>Added a new policy to <b>CL5</b> to overcome gardens being made too small from garden grabbing. | <del>g. resist require</del> the development of backland sites if <u>to</u> <del>there would be inadequate vehicular access,</del> <u>ensure vehicular and pedestrian access is properly integrated into the surrounding street network and that the scale and massing respect the hierarchy of the existing urban block so as not to negatively impact on the character of the area;</u> <del>or</del><br><del>b) the amenity of adjoining properties would be adversely affected, or</del><br><del>c) there would be a loss of open space, or</del><br><del>d) the character of the area would be harmed.</del> | <b>Comment ID: 54</b><br>second line replace remove with drive up.<br>(g) delete 'not to negatively ' and replace with 'enhance'<br><br><b>Comment ID: 84</b><br>We support the stronger wording introduced in Policy CL1(g) on context and character.<br><br><b>Comment ID: 133</b><br>CL1(g) Line 4: Delete "not to negatively impact" and replace with: "to enhance"<br>Line 5: Why has this been deleted? | 'Enhance' not appropriate requirement here.<br><br>Backland development is unlikely to enhance the character of the area, but scale of it could have a negative impact.<br><br>No change considered necessary. | <del>g. resist require</del> the development of backland sites if <u>to</u> <del>there would be inadequate vehicular access,</del> <u>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 reflect the character of the area;</u> <del>or</del><br><del>b) the amenity of adjoining properties would be adversely affected, or</del><br><del>c) there would be a loss of open space, or</del><br><del>d) the character of the area would be harmed.</del> |
| <b>CD55</b> To ensure that the character of mews properties is preserved and enhanced and to resist inappropriate alterations and extensions  | Direct translation from <b>CD55</b>   | <b>h.</b> ensure that the character of mews properties is preserved and enhanced and to resist inappropriate alterations and extensions;  | None  | Policy altered to include reference to mansion blocks.   | <b>h.</b> ensure that, <u>in carrying out alterations and extensions, the characteristics of the type of building, such as mews, terrace or mansion block, is preserved and enhanced;</u> <del>the character of mews properties is preserved and enhanced and to resist inappropriate alterations and extensions;</del>  |
| <b>CD56</b> To resist the loss of, and inappropriate alterations and extensions to artists' studios.  | Direct translation from <b>CD56</b>   | <b>i.</b> resist the loss of, and inappropriate alterations and extensions to artists' studios.   | <b>Comment ID: 133</b><br>CL1(i) <b>Artists' studios:</b> This should cover change of use   | "Resist loss of" considered to be adequate.<br><br>No change.  | <b>i.</b> resist the loss of, and inappropriate alterations and extensions to artists' studios.  |
| <b>CD89</b> To retain where possible religious buildings of architectural or townscape merit.   | Remove – superfluous  |   |   |  |  |
|   |   |   | <b>Comment ID: 54</b><br>add new j category of Mansion Blocks<br><br><b>Comment ID: 133</b><br><b>CL1: Mansion blocks</b> are a very important characteristic of much of Kensington and should be given a category just as mews and artist studios are and then covered in CL1  | Height covered by CL8 Roof Additions policy.<br><br>Reference to mansion blocks added to policy (h) above.   |  |

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|  |  |  | with an addition j to read:<br><br><b>Comment ID: 133</b><br>"resist proposals that would adversely affect the proportions and character of a mansion block, such as increase in the height, which would harm the character of the building and/or the area."     |   |  |
| <b>Policy CL 2<br/>New Buildings, Extensions and Modifications to Existing Buildings</b>   | <b>*New policy</b><br>Separate CL2 into smaller, more manageable, policies | <b>CL2<br/>Design Quality</b>  |   |   |  |
| The Council will require new buildings, extensions and modifications to existing buildings 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.  | Modification to introduction to reflect new policy focus.                  | The Council will require <del>new buildings, extensions and modifications to existing buildings</del> <u>all development</u> 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.  | <b>Comment ID: 19</b><br>Meaning of "highest architectural and urban design quality" same question: who decides<br><br><b>PRSC 15/01/13:</b><br>The first sentence isn't grammatically correct but it looks like an error carried forward in the tracked changes. | Phrase "highest architectural and urban design quality" considered to be sufficiently clear.<br><br>Errors amended. | The Council will require <del>new buildings, extensions and modifications to existing buildings</del> <u>all development</u> 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, in relation to:<br><b>Architectural Design</b>   | Remove subheadings to reflect separation of policy                         | To deliver this the Council will:  |   |   | To deliver this the Council will:  |
| CL2(a). require development to be:<br>i. Functional - fit for purpose and legible;<br>ii. Robust - well built, remain in good condition and adaptable to changes of use, lifestyle, demography and climate;<br>iii. Attractive - pleasing in its composition, materials and craftsmanship;<br>iv. Locally distinctive - responding well to its context;<br>v. Sustainable - in the use of resources, construction and operation;<br>vi. Inclusive - accessible to all;<br>vii. Secure - designs out crime. | No change  | <b>a.</b> require development to be:<br>i. Functional - fit for purpose and legible;<br>ii. Robust - well built, remain in good condition and adaptable to changes of use, lifestyle, demography and climate;<br>iii. Attractive - pleasing in its composition, materials and craftsmanship;<br>iv. Locally distinctive - responding well to its context;<br>v. Sustainable - in the use of resources, construction and operation;<br>vi. Inclusive - accessible to all;<br>vii. Secure - designs out crime. | <b>Comment ID: 138</b><br>CL2(a) (v): After "resources" add ", including energy, in construction and operation" - need to energy consumption as a key resource.   | Altered accordingly.  | <b>a.</b> require development to be:<br>i. Functional - fit for purpose and legible;<br>ii. Robust - well built, remain in good condition and adaptable to changes of use, lifestyle, demography and climate;<br>iii. Attractive - pleasing in its composition, materials and craftsmanship;<br>iv. Locally distinctive - responding well to its context;<br>v. Sustainable - in the use of resources, <u>including energy, in</u> construction and operation;<br>vi. Inclusive - accessible to all;<br>vii. Secure - designs out crime; |
| CL2(b). require an appropriate architectural style on a site by-site basis, in response to:<br>i. the context of the site;<br>ii. the building's proposed design, form and use;<br>iii. whether the townscape is of uniform or varied character.   | No change  | <b>b.</b> require an appropriate architectural style on a site by-site basis, in response to:<br>i. the context of the site;<br>ii. the building's proposed design, form and use;<br>iii. whether the townscape is of uniform or varied character.   | None  | No change.  | <b>b.</b> require an appropriate architectural style on a site by-site basis, in response to:<br>i. the context of the site;<br>ii. the building's proposed design, form and use;<br>iii. whether the townscape is of uniform or varied character;   |
| CL2(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;  | No change  | <b>c.</b> facilitate the redevelopment of 'eyesores' by offering flexibility in relation to policies which make redevelopment with buildings more suited to their context demonstrably unviable;   | <b>Comment ID: 5</b><br>Policy CL2 c. This is difficult to understand, could it be re-written please. (even though not in red)<br><br><b>Comment ID: 138</b><br>CL2(c): Delete - this is dangerous.   | Policy considered necessary. No change.   | <b>c.</b> facilitate the redevelopment of 'eyesores' by offering flexibility in relation to policies which make redevelopment with buildings more suited to their context demonstrably unviable.   |
| <b>CL 3<br/>Heritage Assets - Conservation Areas and Historic Spaces</b>   |  | <b>Policy CL3<br/>Heritage Assets – Conservation Areas and Historic Spaces</b>   |   |   |  |
| The Council will require development to preserve and to take opportunities to enhance the character or appearance of conservation areas, historic places, spaces and townscapes, and their settings.   | Modification, with struck through text being re-expressed in (a) below     | The Council will require development to preserve and to take opportunities to enhance the <u>cherished and familiar local scene</u> . <del>character or appearance of conservation areas, historic places, spaces and townscapes, and their settings.</del>  | None  | No change.  | The Council will require development to preserve and to take opportunities to enhance the <u>cherished and familiar local scene</u> . <del>character or appearance of conservation areas, historic places, spaces and townscapes, and their settings.</del>  |

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|-----------------------------------|--|---|---|---|---|
| To deliver this the Council will: |  | To deliver this the Council will:   |   |   | To deliver this the Council will:   |
|                                   | Text strongly reflecting that of the s.72 of Act. Perception that the policy is insufficiently clear in this regard because of its structure                                     | <u>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.</u> | None  | No change.  | <u>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;</u> |
|                                   | *New policy introduced through the partial review of the Core Strategy looking at Pubs and related matters. This policy has now been submitted to the Inspector for examination. | <u>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</u>   | <p><b>Comment ID: 69</b><br/>Policy CL3 part b. We propose that the policy wording is too prescriptive in this instance and should be revised to ensure that specific circumstances of some developments, such as buildings not being fit for purpose, can be addressed. We propose the following amendment to the policy wording:<br/><i>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 <u>except where the current use is no longer feasible or viable in its existing location.</u></i></p> <p><b>Comment ID: 85</b><br/>We welcome the new wording in CL3(b) on conservation areas</p> <p><b>Comment ID: 171</b><br/>Policy CL3(b) seeks to:<br/>"resist the change of use for any building where the current use contributes to the character of the surrounding area and its sense of place."</p> <p>Supporting text for this policy is provided at paragraph 34.3.27 through to 34.3.29.</p> <p>This policy and the supporting text is considered neither justified (i.e. the most appropriate strategy has not been selected) or effective.</p> <p>It is considered that the most appropriate strategy for resisting the change of use of any building which contributes to the character/significance of the area has not been fully explored. If it is considered that a use should protected because it contributes to the area, it is more appropriate that it is added to the Assets of Community Value list through the Localism Bill which will have weight in the determination of any planning application proposing a change of use.</p> <p>The policy wording is also not considered to be effective. The scope of the policy is too broad and it is unclear what the Royal Borough is seeking to achieve given that the control of uses is considered adequately covered by other policies in the Core Strategy. This policy is highly subjective in terms of whether a use contributes to the character or appearance of the area and in particular it</p> | This policy is part of separate arm of Core Strategy Review. It will be examined on 1 <sup>st</sup> May 2013. Comments have been relayed, but consultation on this policy took place last year. As a consequence no alterations have been made as a result of these comments. | <u>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;</u>  |

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|   |  |   | <p>sense of place. The value of the use will not be determined until an application has been submitted and consulted upon, incurring substantial costs for a land owner and creating significant uncertainty which will ultimately discourage investment in the Borough.</p> <p>Therefore we consider that the wording of this policy and the supporting text remains wholly in appropriate and impractical and should be deleted.</p> <p><b>Comment ID: 77</b><br/>Revised policy C13 seeks to 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.</p> <p>This policy is considered to be non specific and unworkable, there are too many variables to consider and it would be entirely possible to make the case that any particular use contributed to the character of an area should there be enough local objection to a proposal.</p> <p>The proposed supporting text is too generic and does not set any certainty or guidance for potential applicants in terms of addressing the policy. The NPPF notes that development which is sustainable should go ahead, without delay and that a presumption in favour of sustainable development is the basis for every plan and every decision. This proposed new policy is not properly justified and it not in accordance with the NPPF.</p> |  |   |
| CL3(b). resist substantial demolition in conservation areas unless it can be demonstrated that:<br>i. the building or part of the building or structure makes no positive contribution to the character or appearance of the area;<br>ii. a scheme for redevelopment has been approved; | No change  | <b>c.</b> resist substantial demolition in conservation areas unless it can be demonstrated that:<br>i. the building or part of the building or structure makes no positive contribution to the character or appearance of the area;<br>ii. a scheme for redevelopment has been approved;   | None  | No change.   | <b>c.</b> resist substantial demolition in conservation areas unless it can be demonstrated that:<br>i. the building or part of the building or structure makes no positive contribution to the character or appearance of the area;<br>ii. a scheme for redevelopment has been approved; |
| CL3(c). require, in the event of a collapse or unauthorised demolition of a structure in a conservation area, a replacement replica of the structure where the original made a positive contribution to the character and appearance of that conservation area.                         | Modification to tidy up the wording of the policy. 'replica' is required to remove any potential incentive that unauthorised demolition might otherwise result in, if different designs are allowed. | <b>d.</b> require <u>a replacement replica</u> in the event of a collapse or unauthorised demolition of a structure <u>that made a positive contribution to the character or appearance of</u> in a conservation area; <del>a replacement replica of the structure where the original made a positive contribution to the character and appearance of that conservation area.</del> | <b>Comment ID: 6</b><br>Not in red other than the d. But it read very awkwardly - Repetition of the same phrase . Suggested wording " require a replacement replica in the event of a collapse or unauthorised demolition of a structure that had made a positive contribution to the character and appearance of that conservation area".  | Policy no longer regarded as necessary. The conservation area duty should be sufficient to ensure that any replacement preserves or enhances the conservation area.<br>Remove. |   |
| CL3(a). require full planning applications in conservation areas;   | No change  | <b>e.</b> require full planning applications in conservation areas;   | None  | No change  | <b>d.</b> require full planning applications in conservation areas.   |
|   |  |   | <b>Comment ID: 24</b><br>Add something about protecting specific Use Classes  | Change of use policies covered elsewhere in Core Strategy. This chapter concerns character.  |   |
|   |  |   | <b>Comment ID: 56</b><br>Add a clause to 'require any development to  | This policy specifically deals with designated heritage assets.  |   |

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|   |   |  | take account of the significance of non designated heritage assets including locally listed buildings and their settings'  |  |  |
| <b>CL 4<br/>Heritage Assets - Listed Buildings,<br/>Scheduled Ancient Monuments and<br/>Archaeology</b>   |   | <b>Policy CL4<br/>Heritage Assets - Listed Buildings,<br/>Scheduled Ancient Monuments and<br/>Archaeology</b>  |  |  |  |
| The Council will require development to preserve or enhance the special architectural or historic interest of listed buildings and scheduled ancient monuments and their settings, and the conservation and protection of sites of archaeological interest.   | Move parts of this into a new section below   | The Council will require development to <u>protect the significance of</u> <del>preserve or enhance the special architectural or historic interest of</del> listed buildings, and scheduled ancient monuments <del>and their settings, and the conservation and protection</del> <u>and</u> of sites of archaeological interest.   | <b>PRSC 15/01/13:</b><br>The first sentence could do with a radical edit to clarify the actual policy. However as it wasn't changed in the consultation, perhaps a few minor changes to correct the grammar could be made instead.   | This policy contained errors in consultation draft, but not in the proposed policy alterations. Amended accordingly.   | The Council will require development to <u>protect the heritage significance of</u> <del>preserve or enhance the special architectural or historic interest of</del> listed buildings, <del>and</del> scheduled ancient monuments <del>and their settings, and the conservation and protection</del> <u>and</u> of sites of archaeological interest. |
| To deliver this the Council will:   |   | To deliver this the Council will:  |  |  |  |
|   | New text to directly relate to the wording of the Act (s16 and s66), to strengthen perceived weakness due to the structure of the policy.<br><br>Including ref to alterations and extensions to listed buildings because not all changes that require LBC are 'development' as defined by s.55 TCPA. Taken out modifications, as s.7 of the LBCA Act refers to 'any works for the demolition... or for its alteration or extension...'. demolition covered in another policy below so omitted from this policy. | <u>a. require all development and any works for alterations and extensions related to listed buildings, scheduled ancient monuments and sites of archaeological interest, to preserve the significance of the building, monument or site or their setting or any features of special architectural or historic interest;</u>   | <b>Comment ID: 70</b><br>Policy CL4 part a.<br>We propose that the policy wording is too prescriptive here, and should be reworded to enable sites to be considered on an individual basis. Some existing listed buildings for example may not be appropriate for their current use or the nature of their current occupation and sympathetic alterations should therefore be considered.  | Sites/proposals are always considered on an individual basis. Want to avoid too much leeway in policy, which would leave us vulnerable.<br>Minor alterations.                    | <u>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;</u>                 |
| CL4(a). 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);   |   | <u>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);</u>  | None   | No change.   | <u>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);</u>   |
| CL4(b). require the preservation of the special architectural and historic interest of listed buildings, scheduled monuments or other buildings or places of interest. In particular the integrity, plan form and structure of the building including the ground and first floor principal rooms, original staircases and such other areas of the building as may be identified as being of special interest should be preserved; | Remove - Covered by (a), (b) and (d)  |  |  |  |  |
| CL4(c). require the preservation of the original architectural features, and later features of interest, both internal and external;  | Incorporation of text from original CL4(b), which removes potential duplications with the introduction of new clause (a).   | <u>c. require the preservation of the original architectural features, and later features of interest, both internal and external, in particular the integrity, plan form, the original hierarchy of historic floor levels and structure of the building including the ground and first floor principal rooms, original staircases and such other areas of the building as may be identified as being of special interest;</u> | <b>Comment ID: 26</b><br>(c) ADD : protection of plaster mouldings<br><br><b>Comment ID: 70</b><br>Policy CL4 part c.<br>• The requirement for the preservation of the plan form, original hierarchy of historic floor levels and structure of the building including the ground and first floor principal rooms, original staircases and such other areas of the building as may be identified as being of special interest, is too prescriptive. As mentioned previously, some existing listed | All of the items listed will not always be relevant, as a result these have been removed, but will be assessed in each application on a case by case basis. Altered accordingly. | <u>c. require the preservation of the original architectural features, and later features of interest, both internal and external;</u>   |

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|   |   |  | buildings may not be appropriate for their existing use and therefore sympathetic alterations should be considered to enable the existing use to continue.   |   |  |
| CL4(d). require internal or external architectural features of listed buildings or scheduled ancient monuments, commensurate with the scale of the development, to be:<br>i. reinstated where the missing features are considered important to their special interest;<br>ii. removed where the additions to or modifications are considered inappropriate or detract from their special character; | No change   | <b>d.</b> require internal or external architectural features of listed buildings or scheduled ancient monuments, commensurate with the scale of the development, to be:<br>i. reinstated <b>where</b> the missing features are considered important to their special interest;<br>ii. removed where the additions to or modifications are considered inappropriate or detract from their special character; | <b>Comment ID: 143</b><br>CL4(d): Needs to refer to preserving Where have former CL4(g) and (h) gone?  | Former policies (g) and (h) proposed to be deleted as considered to be covered by new policies CL4 (a) and (b).<br><br>Text simplified. | <b>d.</b> <u>require the reinstatement or removal of internal or external architectural features of listed buildings or scheduled ancient monuments, commensurate with the scale of the development,</u>   |
| CL4(e). resist the change of use of a listed building which would materially harm its character;  | Include reference to listed buildings being best used for their original purpose in the supporting text.                | <b>e.</b> resist the change of use of a listed building which would materially harm its character;   | None   | Grammatical amendment.  | <b>e.</b> resist the change of use of a listed building <del>which</del> <u>that</u> would materially harm its character;  |
| CL4(f). strongly encourage any works to a listed building to be carried out in a correct, scholarly manner by appropriate specialists;  | No change   | <b>f.</b> strongly encourage any works to a listed building to be carried out in a correct, scholarly manner by appropriate specialists;   | None   | No change.  | <b>f.</b> strongly encourage any works to a listed building to be carried out in a correct, scholarly manner by appropriate specialists;   |
| CL4(g). require development to protect the setting of listed buildings, scheduled ancient monuments or sites of archaeological interest;  | Propose to be deleted as covered by new policies CL4 (a) and (b)  |  |  |   |  |
| CL4(h). resist development which would threaten the conservation, protection or setting of archaeological remains;  | Propose to be deleted as covered by new policies CL4 (a) and (b)  |  | <b>Comment ID: 26</b><br>(h) Why take this out? See point added under 34.3.43 above  | Proposed to be deleted as covered by new policies CL4 (a) and (b).  |  |
| CL4(i). 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.   | No change   | <b>g.</b> 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.  | <b>Comment ID: 26</b><br>(g) Why take this out? See point added under 34.3.43 above<br><br><b>PRSC 15/01/13:</b><br>Reinstate – not considered to be covered by CL4a as g refers to “protect”,   | Reinstate. Not intended to be removed – must have been error in consultation document.  | <b>g.</b> 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.  |
| <b>CL 5<br/>Amenity</b>   | Change from ‘Amenity’ to be more user-friendly  | <b>Policy CL5<br/>Living Conditions</b>  | <b>Comment ID: 144</b><br>The Society is concerned that this section has swung too far away from the existing policy   | Need more information on what is meant by this comment.   |  |
| The Council will require new buildings, extensions and modifications and small scale alterations and additions, to achieve high standards of amenity.   | Amend text to reflect comments in public workshop: define ‘Amenity’ as not understood by all – make more user-friendly. | The Council will require <u>all development</u> <del>new buildings, extensions and modifications and small scale alterations and additions,</del> to achieve high standards of amenity <u>ensure good living conditions for occupants of new, existing and neighbouring buildings.</u> <del>amenity.</del>   | None   | Typo amended.   | The Council will require <u>all development</u> <del>new buildings, extensions and modifications and small scale alterations and additions,</del> to achieve high standards of amenity <u>ensure good living conditions for occupants of new, existing and neighbouring buildings.</u> <del>amenity.</del> |
| To deliver this the Council will:   |   | To deliver this the Council will:  |  |   | To deliver this the Council will:  |
|   |   | <b>a.</b> <u>require applicants to relate proposed living conditions to those in the immediate area, the character of the built form and spaces, and the expectation of higher standards in new developments.</u>  | <b>Comment ID: 172</b><br>Policy CLS(a) requires applicants to:<br><br>"relate proposed living condition to those in the immediate area, the character of the built form and spaces, and the expectation of higher standards in new developments." | Expectations are dealt with in paragraph 34.3.35.<br><br>Text simplified.   | <b>a.</b> <u>require applicants to take into account the prevailing characteristics of the area;</u>   |

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|  |  |   | It is considered that this policy is not justified. The principal reason for this, is that there is no explanation of what the expectation of higher standards of living conditions are and against what benchmark this should be measured. The measurable approach would be to consider the quality of accommodation as measured against the London Housing Design Guide which provides clear measurable standards for new residential development across Greater London.   |   |   |
| CL5(a). require good daylight and sunlight amenity for buildings and amenity spaces, and that the conditions of existing adjoining buildings and amenity spaces are not significantly reduced or, where they are already substandard, that there should be no material worsening of the conditions;  | Minor fine tuning to remove 'amenity'  | <b>b.</b> require good daylight and sunlight amenity for <u>new buildings, gardens, terraces and balconies</u> and amenity spaces, and that the conditions of existing adjoining buildings, <u>gardens, terraces</u> and amenity spaces balconies are not significantly reduced or, where they are already substandard, that there should be no material worsening of the conditions; | <b>Comment ID: 31</b><br>For clarity, suggest break it up as follows:<br><br>b: require good daylight and sunlight amenity for new buildings, gardens, terraces and balconies and amenity spaces<br><br>c: require that the conditions of existing adjoining buildings, gardens, terraces and amenity spaces balconies are not significantly reduced, or, where they are already substandard, that there should be no material worsening of the conditions;<br><br><b>Comment ID: 57</b><br>Policy CL5 b and c. Need to differentiate between balconies and terraces. The latter particularly at high level give rise to larger gatherings with overlooking and noise and disturbance and should be resisted. Balconies allowing some access to the open air and generally not allowing more than two people to sit on them are less likely to cause a problem and can provide a valuable amenity for their users. | Differentiation of terraces explained in RJ. Not considered to require separate policy clauses as part of CL5(b) and (c).<br><br>Text simplified. | <b>b. ensure that good standards of daylight and sunlight are achieved in new development and in existing properties affected by new development;</b>   |
| CL5(b). require reasonable visual privacy for occupants of nearby buildings;<br><b>CD46</b> To resist the introduction of roof terraces if:<br>a) significant overlooking of, or disturbance to neighbouring properties or gardens would result;<br><b>CD47</b> To resist proposals for extensions if:<br>h) there would be a significant increase in overlooking of neighbouring properties or gardens; | <b>CD46 (a)</b> , and <b>CD47(h)</b> already covered by CL5(b), and the wording of CL5(b) better reflects the concern expressed at the public workshop, that we live in dense urban area – must expect to be overlooked. Propose to delete <b>CD46(a)</b> and <b>CD47(h)</b> .<br><br>'any new development' inserted to ensure policy covers new as well as existing properties.<br><br>Proposed alterations to reflect comments to keep 'overlooking' and 'disturbance' | <b>c.</b> require <u>that there is</u> reasonable visual privacy for occupants of <u>new development and, as the result of new development, no significant increase in overlooking of, or disturbance to, neighbouring properties, gardens, terraces or balconies;</u> <del>nearby buildings;</del>   | <b>Comment ID: 31</b><br>(c - g) This all seems a bit repetitive. Simplify!  | Text simplified.  | <b>c.</b> require <u>that there is</u> reasonable visual privacy for occupants of <u>new development and for occupants of existing properties affected by new development;</u> <del>nearby buildings;</del> |
| <b>CD47</b> To resist proposals for extensions if:<br>b) the extension would significantly reduce garden space of amenity value, or spoil the sense of garden openness when viewed from properties around  | Covered by policy below  |   |  |   |   |
| CL5(c). require that there is no harmful increase in the sense of enclosure to existing buildings and spaces;  | Altered to define 'spaces' more explicitly.<br><br>Cliff-like effect mentioned in RJ   | <b>d.</b> require that there is no harmful increase in the sense of enclosure to existing buildings and <u>spaces neighbouring gardens, balconies and terraces;</u>   | None   | No change.  | <b>d.</b> require that there is no harmful increase in the sense of enclosure to existing buildings and <u>spaces neighbouring gardens, balconies and terraces;</u>   |

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| CD47(e) on the site boundary, the extension would cause an undue cliff-like effect or sense of enclosure to neighbouring property;  |   |   |  |   |   |
|   |   | <u>e. require that development does not harm the prospect from the upper floors of nearby properties;</u>   | <b>Comment ID: 71</b><br>Policy CLS part e. * We propose that further explanation of what is meant by the terms 'prospect' and a definition of what is considered to constitute 'harm' is provided to ensure that applicants understand the requirements of this policy.<br><br><b>PRSC 15/01/13:</b><br>Change word: 'prospect'. Perhaps 'outlook'?   | Assessing living conditions at all levels is important so policy is unnecessary. Removed. |   |
|   | <b>*New policy</b> This is to overcome the garden grabbing point on backland – if garden grabbing happened and made gardens too small, we would say, no, those gardens are not proportionate to the size of the house or flat.<br>Refer to LR15 | <u>f. require gardens, balconies, or terraces to be of a size that is proportionate to the size of the house or flat.</u>   | None   | Not considered necessary. Removed.  |   |
| CL5(d). require that there is no significant impact on the use of buildings and spaces due to increases in traffic, parking, noise, odours or vibration or local microclimatic effects. | Include 'disturbance' – from CD46   | <u>g. require that there is no significant impact on the use of buildings and spaces due to increases in traffic, servicing, parking, noise, disturbance, odours or vibration or local microclimatic effects.</u> | None   | Text simplified.  | <u>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.</u> |
| CD26 To encourage the improvement of land which is environmentally poor and buildings in poor condition by investment and refurbishment or new development.                             | Remove – encourage policies have little weight.   |   |  |   |   |
| <b>CL 6</b><br><b>Small-scale Alterations and Additions</b>   |   | <b>CL6</b><br><b>Small-scale Alterations and Additions</b>  |  |   |   |
|   |   |   | <b>Comment ID: 33</b><br>A big tick for this one!<br><br><b>Comment ID: 100</b><br>Boundaries: need to add front boundaries to policy CL6 to support advice in CAPS.<br><br><b>Comment ID: 152</b><br>This needs an additional policy on boundaries Resist the removal of front garden wall, fence or railings or of piers in conservation areas and encourage their reinstatement to match their original design or match others in the terrace when such features have been lost. Require that alterations to front boundaries |   |   |
| The Council will require that alterations and additions do not harm the existing character and appearance of the building and its context.  | No change   | The Council will require that alterations and additions do not harm the existing character and appearance of the building and its context.  | None   | No change to chapeau  | 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:   | As all the policies in CL6 are 'resist', if we include the clause here, we can use simpler numbering.   | To deliver this the Council will <u>resist small-scale development that:</u>  |  |   | To deliver this the Council will <u>resist small-scale development that:</u>  |
| CL6(a). resist small-scale development which:<br>i. harms the character or appearance of  |   | <u>a. harms the character or appearance of the existing building, its setting or townscape;</u>   | None   | No change.  | <u>a. harms the character or appearance of the existing building, its setting or townscape;</u>   |

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| the existing building, its setting or townscape;  |   |  |  |   |  |
| ii. results in a cumulative effect which would be detrimental to the character and appearance of the area;  |   | <b>b.</b> results in a cumulative effect which would be detrimental to the character and appearance of the area;   | None   | No change.  | <b>b.</b> results in a cumulative effect which would be detrimental to the character and appearance of the area;   |
| iii. are not of high quality form, detailed design and materials;   | Grammatical amendments  | <b>c.</b> <u>is</u> not of high quality form, detailed design and materials <u>or discreetly located</u> ;   | None   | No change.  | <b>c.</b> <u>is</u> not of high quality form, detailed design and materials <u>or discreetly located</u> ;   |
| CL6(a). resist small-scale development which (i – iii above)<br>iv. do not remove physical barriers to access or improve the security of the building in a sensitive manner in relation to the character and appearance of the building and surrounding area;   | Remove – talk about security in RJ for CL1  |  |  | Printed in consultation though previously intended to be removed. RJ for CL5 deals with removal of front boundaries |  |
| CL6(b). require telecommunication, plant, micro-generation and other mechanical equipment to be sited discretely so that visual amenity is not impaired.  | Covered in above policy CL6(a)  |  |  | <b>Printed in consultation though previously intended to be removed.</b><br>Covered in policy CL6(a)                |  |
| <b>CD78</b> To permit flagpoles unless their siting would harm the character of an area or would not preserve or enhance the character and appearance of a conservation area.   | Propose to delete <b>CD78</b> as would be covered by CL6(a) and specific policy on flagpoles, especially when all it is saying is they are OK if they look after character and appearance, seems unnecessary. |  |  |   |  |
|   |   |  |  |   |  |
| CL2(g). require it is demonstrated that subterranean extensions meet the following criteria:<br>i. the proposal does not involve excavation underneath a listed building;<br>ii. the stability of the existing or neighbouring buildings is safeguarded;<br>iii. there is no loss of trees of townscape or amenity value;<br>iv. adequate soil depth and material is provided to ensure sustainable growth. | <b>*New policy</b><br>New policy currently being drafted as part of a separate review.  | <b>CL7</b><br><b>Existing Buildings – Basements</b>  |  |   |  |
|   | <b>*New policy</b>  | <b>CL8</b><br><b>Existing Buildings – Roof Alterations/Additional Storeys</b>  |  |   |  |
|   |   |  | <b>Comment ID: 89</b><br>On Policy CL8 (roof alterations) the proposed new wording is not a big change, but one that is generally helpful. |   |  |
|   | New introduction to reflect focus on roof alterations/additional storeys.<br><br>Use some of CD45(b) below to make the CL8 chapeau more specific to roofs   | <u>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.</u>   | None   | No change   | <u>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.</u>   |
|   |   | To deliver this the Council will:  |  |   | To deliver this the Council will:  |
| <b>CD45</b> To permit additional storeys and roof level alterations in the following circumstances:<br>a) where the character of a terrace or group of properties has been severely compromised by a variety of roof extensions and where infilling between them would help to re-unite the group;  | <b>CD45(b)</b> incorporated into the wording of chapeau above   | <b>a.</b> 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; <del>and</del><br><del>b) the alterations are architecturally sympathetic to the age and character of the</del> | None   | No change   | <b>a.</b> 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; <del>and</del><br><del>b) the alterations are architecturally sympathetic to the age and character of the</del> |

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|--|--|--|---|--|---|
| and<br>b) the alterations are architecturally sympathetic to the age and character of the building and would not harm its appearance.  |  | building and would not harm its appearance.  |   |  | building and would not harm its appearance.   |
| <b>CD44</b> To resist additional storeys and roof level alterations on:  |  | <b>b.</b> resist additional storeys, and roof level alterations on:  | None  | No change  | <b>b.</b> resist additional storeys, and roof level alterations on:   |
| a) complete terraces or groups of buildings where the existing roof line is unimpaired by extensions, even when a proposal involves adding to the whole terrace or group as a co-ordinated design;   | Direct translation from <b>CD44</b>  | <b>i.</b> 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;  | None  | No change  | <b>i.</b> complete terraces or groups of buildings where the existing roof line is unimpaired by extensions, even when a proposal involves adding to the whole terrace or group as a co-ordinated design;   |
| b) buildings or terraces that already have an additional storey or mansard;  | Direct translation from <b>CD44</b>  | <b>ii.</b> buildings or terraces that already have an additional storey or mansard;  | None  | No change  | <b>ii.</b> buildings or terraces that already have an additional storey or mansard;   |
| c) buildings that include a roof structure or form of historic or architectural interest;  | Direct translation from <b>CD44</b>  | <b>iii.</b> buildings that include a roof structure or form of historic or architectural interest;   | None  | Minor alteration   | <b>iii.</b> buildings that <del>include</del> <u>have</u> a roof structure or form of historic or architectural interest;   |
| d) buildings which are higher than surrounding neighbours;   | Direct translation from <b>CD44</b>  | <b>iv.</b> buildings which are higher than surrounding neighbours;   | None  | Additions to include reference to significant skylines as mentioned in comments below.               | <b>iv.</b> buildings that are higher than surrounding neighbours, <u>or where they would detract from significant skylines or profiles;</u>   |
| e) buildings or terraces where the roof line or party walls are exposed to long views from public spaces, and where they would have an intrusive impact on that view or would impede the view of an important building or open space beyond;   | Direct translation from <b>CD44</b>  | <b>v.</b> 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;  | None  | No change  | <b>v.</b> buildings or terraces where the roof line or party walls are exposed to long views from public spaces, and where they would have an intrusive impact on that view or would impede the view of an important building or open space beyond; |
| f) buildings which, by the nature of the roof construction and architectural style are unsuitable for roof additions, e.g. pitched roofs with eaves;   | Direct translation from <b>CD44</b>  | <b>vi.</b> buildings which, by the nature of the roof construction and architectural style are unsuitable for roof additions, e.g. pitched roofs with eaves;   | None  | Minor alterations  | <b>vi.</b> buildings which, by the nature of the roof construction and architectural style are unsuitable for <del>roof additions</del> <u>additional storeys</u> , e.g. pitched roofs with eaves;  |
| g) mansion blocks of flats where an additional storey would add significantly to the bulk or unbalance the architectural composition;  | Direct translation from <b>CD44</b>  | <b>vii.</b> mansion blocks of flats where an additional storey would add significantly to the bulk or unbalance the architectural composition;   | <b>Comment ID: 59</b><br>Policy CL8 b vii add after architectural composition or detract from significant skylines or profiles.         | Considered to apply to more than only mansion blocks. Added to policy (b)iv.                         | <b>vii.</b> mansion blocks of flats where an additional storey would add significantly to the bulk or unbalance the architectural composition;  |
| h) terraces which are already broken only by isolated roof additions.  | Direct translation from <b>CD44</b>  | <b>viii.</b> terraces which are already broken only by isolated roof additions.  | None  | No change  | <b>viii.</b> terraces that are already broken only by isolated roof additions.  |
| CL2(f). require additional storeys and roof level alterations to be sympathetic to the architectural style and character of the building and to either assist in unifying a group of buildings or where there is a detached building to be no higher than the prevailing building height;                                | Covered in chapeau, (a) and the new buildings heights policy   | <del>CL2(f). require additional storeys and roof level alterations to be sympathetic to the architectural style and character of the building and to either assist in unifying a group of buildings or where there is a detached building to be no higher than the prevailing building height;</del> | <b>Comment ID: 35</b><br>Why take this out?   | This is considered to be covered in chapeau, (a) and the new buildings heights policy.<br>No change. |   |
| <b>CD46</b> To resist the introduction of roof terraces if:<br>a) significant overlooking of, or disturbance to neighbouring properties or gardens would result; or<br>b) any accompanying alterations or roof alterations are not to a satisfactory design, would be visually intrusive or would harm the street scene. | <b>CD46(a)</b> covered in Amenity, CL5<br><b>CD46(b)</b> incorporated into the wording of CL8(b) above |  |   |  |   |
|  |  |  | <b>Comment ID: 35</b><br>Add:<br>c. Resist roof terrace trellises, enclosures, planting and furniture which adversely affects rooflines | Proposed text too prescriptive.  |   |

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|   |   |   | OR:<br>c. Roof terraces will be subject to a condition requiring the Council's approval of enclosure design and materials, landscaping, planting and furniture, in order to avoid compromising rooflines. |   |  |
|   | <b>*New policy</b>  | <b>CL9</b><br><b>Existing Buildings – Extensions and Modifications</b>  |   |   |  |
|   | New introduction to reflect focus on extensions and modifications<br><br>Use CL2(d) as chapeau –<br>The following policies go on to describe the 'how' in achieving extensions that are visually subordinate etc            | <u>The Council will require extensions and modifications to existing buildings to be visually subordinate to the original building, allow the form of the original building to be clearly seen, and to reinforce the architectural integrity of the original building, or group of buildings.</u> | None  | Minor Modification  | <u>The Council will require extensions and modifications to existing buildings to be subordinate to the original building, allow the form of the original building to be clearly understood, and to reinforce the architectural integrity of the original building, or group of buildings.</u> |
|   | As all the policies in CL9 are 'resist', if we include the clause here, we avoid using complicated numbering or having to include a clause at the beginning of each policy. This way CD47, 48 and 49 can all roll into one. | To deliver this the Council will <u>resist proposals for extensions, including side extensions or conservatories if:</u>  | None  | Minor alterations   | To deliver this the Council will <u>resist proposals for extensions if:</u>  |
| CL2(d). require extensions, including conservatories, and modifications to meet all the following:<br>i. to be visually subordinate to the original building; and<br>ii. to allow the form of the original building to be clearly seen; and<br>iii. to reinforce the integrity of the original building.  | Move to chapeau and include phrase 'group of buildings' originally from CL2(e)  |   |   |   |  |
| CL2(e). require extensions, including conservatories, and modifications to 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, detailed design, important gaps and sense of garden openness; | Incorporate this within RJ as all of the separate aspects are covered by modified CD47 policy below   |   |   |   |  |
| <b>CD47</b> To resist proposals for extensions if:<br>a) the extension would extend rearward beyond the existing general rear building line of any neighbouring extensions;   | Translation of <b>CD47</b> , with the following modifications:  | a. the extension would extend rearward beyond the existing general rear building line of any neighbouring extensions;   | <b>Comment ID: 37</b><br>(a) Add: By more than 3m   | Too prescriptive. No change.  | a. the extension would extend rearward beyond the existing general rear building line of any neighbouring extensions;  |
| b) the extension would significantly reduce garden space of amenity value, or spoil the sense of garden openness when viewed from properties around (see also policy CD80);   | Move <b>CD47 (e), (g), (h)</b> and part of <b>(b)</b> to <b>Amenity</b>   |   | <b>Comment ID: 37</b><br>(CD47b) Why remove this?<br><br><b>Comment ID: 156</b><br>reinstate CD47b  | Principles moved to CL5<br>Considered to be sufficiently covered by Living Conditions policy. |  |
| c) the extension would rise above the general height of neighbouring and nearby extensions, or rise to or above the original main eaves or parapet;   | No change   | 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;   | None  | No change   | 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;  |
| d) the extension would not be visually subordinate to the parent building;  | <b>CD47(d) – Covered by CL9(a.i)</b>  | d) the extension would not be visually subordinate to the parent building;  | None  | No change   |  |
| e) on the site boundary, the extension  | Move <b>CD47 (e), (g), (h)</b> and part of  | e) on the site boundary, the extension would  | <b>Comment ID: 156</b>  | Principles moved to CL5.  |  |

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|---|---|--|---|--|--|
| would cause an undue cliff-like effect or sense of enclosure to neighbouring property;  | <b>(b) to Amenity</b><br><b>CD47(e) – Covered by CL5(c)</b>                         | <del>cause an undue cliff-like effect or sense of enclosure to neighbouring property;</del>  | reinstate CD47e   | Considered to be covered by CL5d. <i>require that there is no harmful increase in the sense of enclosure to existing buildings and neighbouring gardens, balconies and terraces;</i> |  |
| f) the extension would spoil or disrupt the even rhythm of rear additions. Full width extensions will not usually be allowed;   | No change   | <b>c.</b> the extension would spoil or disrupt the even rhythm of rear additions. Full width extensions will not usually be allowed;   | None  | Second clause considered to be covered by first.   | <b>c.</b> the extension would spoil or disrupt the even rhythm of rear additions. <del>Full width extensions will not usually be allowed;</del>  |
| g) the adequacy of sunlight and daylight reaching neighbouring dwellings and gardens would be impaired, or existing below standard situations made significantly worse (see Planning Standards Chapter);  | Move <b>CD47 (e), (g), (h)</b> and part of <b>(b) to Amenity</b>                    | <del>g) the adequacy of sunlight and daylight reaching neighbouring dwellings and gardens would be impaired, or existing below standard situations made significantly worse (see Planning Standards Chapter);</del>  | <b>Comment ID: 37</b><br>(CD47g) Why remove?  | Principles moved to CL5<br>Considered to be sufficiently covered by Living Conditions policy.<br>Planning Standards Chapter not proposed to be saved.                                |  |
| h) there would be a significant increase in overlooking of neighbouring properties or gardens;  | Move <b>CD47 (e), (g), (h)</b> and part of <b>(b) to Amenity</b>                    | <del>h) there would be a significant increase in overlooking of neighbouring properties or gardens;</del>  | <b>Comment ID: 37</b><br>(CD47h) Why remove?<br><br><b>Comment ID: 156</b><br>reinstate CD47h   | Principles moved to CL5<br>Considered to be covered CL5c   |  |
| i) 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 (some exception may be allowed at basement level). | Remove reference to basements. New basement policy will cover this.                 | <b>d.</b> 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 <del>(some exception may be allowed at basement level)</del> | <b>Comment ID: 37</b><br>Tick to all d to j   | No change  | <b>d.</b> 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 <del>(some exception may be allowed at basement level)</del> |
| j) the extension would breach the established front building line;  | No change   | <b>e.</b> the extension would breach the established front building line;  | None  | No change  | <b>e.</b> the extension would breach the established front building line;  |
| k) an important or historic gap or view would be blocked or diminished.   | No change   | <b>f.</b> an important or historic gap or view would be blocked or diminished.   | <b>Comment ID: 60</b><br>Policy CL9 add between f and g a new clause resisting proposals which close gaps between buildings thereby creating an increasing sense of enclosure when seen from the public realm of for the properties on either side. | Sufficiently covered by (f), which includes closing gaps between buildings.<br>No change   | <b>f.</b> an important or historic gap or view would be blocked or diminished.   |
| <b>CD49</b> To resist side extensions to buildings if:<br>(a) the architectural symmetry of a building, terrace or group of buildings would be impaired;  | Direct translation of <b>CD49</b> to continue CL6(c)                                | <b>g.</b> the architectural symmetry of a building, terrace or group of buildings would be impaired;   | None  | No change  | <b>g.</b> the architectural symmetry of a building, terrace or group of buildings would be impaired;   |
| (b) the original architectural features on a formal flank elevation would be obscured;  | No change   | <b>h.</b> the original architectural features on a formal flank elevation would be obscured;   | None  | No change  | <b>h.</b> the original architectural features on a formal flank elevation would be obscured;   |
| (c) access to the rear of the property or of those adjoining would be lost or reduced.  | No change   | <b>i.</b> access to the rear of the property or of those adjoining would be lost or reduced.   | None  | No change  | <b>i.</b> access to the rear of the property or of those adjoining would be lost or reduced.   |
| <b>CD48</b> To resist proposals for conservatories if:<br>(a) located at roof level;  | Combine <b>CD48(a), (b) and (c)</b>   | <b>j. a conservatory is proposed to be</b> located at roof level, significantly above garden level <u>or on a corner site;</u>   | <b>Comment ID: 94</b><br>(j) unless it can be shown to be sensitive to and enhancing its context  | The Council is against conservatories above ground floor.<br>No change   | <b>j. a conservatory is proposed to be</b> located at roof level, significantly above garden level <u>or on a corner site;</u>   |
| (b) located significantly above garden level;   | Covered in <b>(j)</b>   |  |   |  |  |
| (c) covering the whole width of the property;   | Covered in <b>(c)</b>   |  |   |  |  |
| (d) located on a corner site;   | Covered in <b>(j)</b>   |  |   |  |  |
| <b>Shopfronts</b>   | <b>*New policy</b>  | <b>CL10</b><br><b>Existing Buildings – Shopfronts</b>  |   |  |  |
|   | New introduction to reflect new policy focus.<br><br>Remove 'new and alterations to | <u>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 raise the quality of</u>  | <b>Comment ID: 62</b><br>The lead policy is missing.<br><br><b>Comment ID: 101</b>  | Error in printing. Reinstated as intended.<br><br>Include 'drive up' as suggested in   | <u>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</u>  |

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|  | existing', which now implies ALL shopfronts.                                  | <u>the area.</u>   | Shopfronts: need strong, explicit shopfronts policy to drive up quality of our town centres (Policy CL10)<br><br><b>Comment ID: 124</b><br>Lines 5/6: Society strongly supports "driving up the quality of design to improve the quality of the Borough's built environment" - this needs to be part of the strategic policy/introduction to new Policy CL10 on Shopfronts.<br><br><b>Comment ID: 158</b><br>This policy lacks a strategic policy/introduction. This should read: "The Council will require that whenever new or changes to existing shopfronts are proposed that these drive up the quality of the appearance of the Borough's shopping centres. | comments.   | <u>of the area.</u>   |
|  |   | To deliver this the Council will:  |   |   | To deliver this the Council will:   |
| CL2(n). require alterations to existing shopfronts to preserve those elements that contribute to their traditional character, such as corbels, part-glazed doors, fascia, glazing bars, pilaster and stallrisers;<br><b>CD77</b> To permit awnings or blinds which are in character with the age and style of the building in which they are situated.   | Additional reference to awnings and blinds from <b>CD77</b>                   | <b>a.</b> 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, <del>and</del> stallrisers, <u>awnings and blinds</u> ;   | <b>Comment ID: 38</b><br>Need to add something about avoiding garish colours All fine, but need to add: Resist garish colours that do not fit in and enhance the street scene.  | Colour considered to be covered by (b) ii. <i>have a positive visual impact on the appearance of the building or streetscene</i> ;  | <b>a.</b> <u>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</u> ;   |
| CL2(o). require new, and alterations to existing shopfronts, to:<br>i. respect the building's original framework;<br>ii. have a positive visual impact on the appearance of the building or streetscene;<br>iii. respect the character of the building in relation to siting and design of awnings and blinds;<br>iv. be inclusive for all;<br>v. provide independent access to upper floor accommodation. | Small alteration to reflect <b>CD77</b>                                       | <b>b.</b> require new, and alterations to existing shopfronts, to:<br>i. respect the building's original framework;<br>ii. have a positive visual impact on the appearance of the building or streetscene;<br>iii. respect the character of the building in relation to siting and design of awnings and blinds;<br>iv. be inclusive for all;<br>v. provide independent access to <u>existing</u> upper floor accommodation. | <b>Comment ID: 158</b><br>CL10(b) v: Add at the end: ", except where the first floor is in active use by the ground floor use."<br><br><b>PRSC 15/01/13:</b><br>CL10b(v.) Question need for new insertion of 'existing' re independent access – shouldn't this apply to all independent access?   | (b)v. altered to clarify policy intention   | <b>b.</b> require new, and alterations to existing shopfronts, to:<br>i. respect the building's original framework;<br>ii. have a positive visual impact on the appearance of the building or streetscene;<br>iii. respect the character of the building in relation to siting and design of awnings and blinds;<br>iv. be inclusive for all;<br>v. <u>maintain existing</u> provide independent access to upper floor accommodation. |
| <b>CD72</b> To require, where shop units are combined, new shopfronts and signage to be installed within the original surrounds and not to obscure them.   | Direct translation from <b>CD72</b>   | <b>c.</b> require, where shop units are combined, new shopfronts and signage to be installed within the original surrounds and not to obscure them.  | None  | No change   | <b>c.</b> require, where shop units are combined, new shopfronts and signage to be installed within the original surrounds and not to obscure them.   |
| <b>CD74</b> To resist new shopfronts which would involve the removal of existing separate access to residential accommodation or preclude the restoration of such access if already removed, and to seek, where possible, the reinstatement of such access.  | Direct translation from <b>CD74</b> , modified to remove the 'seek' reference | <b>d.</b> resist new shopfronts which would involve the removal of existing separate access to residential accommodation. <del>or preclude the restoration of such access if already removed, and to seek, where possible, the reinstatement of such access.</del>   | None  | No change   | <b>d.</b> resist new shopfronts which would involve the removal of existing separate access to residential accommodation. <del>or preclude the restoration of such access if already removed, and to seek, where possible, the reinstatement of such access.</del>  |
| <b>CD73</b> To resist open shopfronts.   | Direct translation from <b>CD73</b>   | <b>e.</b> resist open shopfronts.  | None  | No change   | <b>e.</b> resist open shopfronts.   |
|  | <b>*New policy</b>  | <b>f.</b> <u>resist external security shutters that have a solid appearance.</u>   | <b>PRSC 15/01/13:</b><br>CL10f: Remove part of policy: 'that have a solid appearance'.<br>Should be resisting all external shutters.  | Removal of 'that have a solid appearance' is considered to be too restrictive. There are instances where external shutters may be acceptable, for instance if they are in the open grille form that has a pattern of brick bonding, where you can see the goods | <b>f.</b> <u>resist external security shutters</u>  |

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|  |  |  |   | on display and the light comes into the street.  |   |
|  | <b>*New policy</b>   | <b>CL11<br/>Views</b>  |   |  |   |
|  |  |  | <p><b>Comment ID: 42</b><br/>A big tick for this one</p> <p><b>Comment ID: 102</b><br/>Views and Vistas: If the UDP policies that name specific views to be protected are to be absorbed into the Core Strategy, these views should be named and shown on a map.</p> <p><b>Comment ID: 161</b><br/>This policy needs to be expanded to name the key views, especially those covered by:</p> <ul style="list-style-type: none"> <li>· CD1&amp; CD2: Chelsea Riverside</li> <li>· CD8: Royal Hospital</li> <li>· CD 10: South Kensington Museums</li> <li>· CD 14: Kensington Palace</li> </ul> | All named views from UDP are described and shown within the Building Heights SPD.                                  |   |
|  | New introduction to reflect new policy focus.  | <u>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.</u>  | None  | No change  | <u>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.</u>   |
|  |  | To deliver this the Council will:  |   |  | To deliver this the Council will:   |
| <b>CL1(e)</b> resist development which interrupts, disrupts or detracts from strategic and local vistas, views and gaps;   | From <b>CL1(e)</b> . Ensure supporting text refers to specific views identified in CAPs and other SPDs, but that it is any view, not just identified views, that are protected by the policy | <b>a.</b> resist development which interrupts, disrupts or detracts from strategic and local vistas, views, <del>and gaps</del> <u>and the skyline.</u>  | <b>Comment ID: 72</b><br>CL11 part a. * We would welcome greater detail and clarity on the views referred to in this policy. Further information should be included within the policy wording to ensure that applicants understand which type of views should be considered in this manner.   | Policy covers the types of view to be considered, especially in CL11c<br><br>No change considered necessary to (a) | <b>a.</b> resist development which interrupts, disrupts or detracts from strategic and local vistas, views, <del>and gaps</del> <u>and the skyline;</u>   |
|  | RJ refers to the methodology to be set out in the SPD, and that the views to be assessed would be agreed with officers, and where buildings are taller, a ZVI.                               | <b>b.</b> <u>require developments whose visual impacts extend beyond that of the immediate street, to demonstrate how views are protected and enhanced</u>   | None  | No change  | <b>b.</b> <u>require developments whose visual impacts extend beyond that of the immediate street, to demonstrate how views are protected and enhanced;</u>   |
| <b>CD63</b> To consider the effect of proposals on views identified in the Council's Conservation Area Proposals Statements, and generally within, into, and out of conservation areas, and the effect of development on sites adjacent to such areas. | Direct translation from <b>CD63</b> with some updating to refer to setting   | <b>c.</b> require, within conservation areas, development to preserve or enhance views<br><b>i.</b> identified in <del>the Council's conservation area appraisals</del> <u>Statements</u> ,<br><b>ii</b> generally within, into, and out of conservation areas, <u>including of the rear of properties</u><br><b>iii</b> that affect their setting, including of and from development on sites adjacent to conservation areas. | None  | Minor alterations.<br><br>CL11c.iii:<br>Clarify 'their setting'.<br>Add reference to listed buildings.             | <b>c.</b> require, within conservation areas, development to preserve or enhance views<br><b>i.</b> identified in <del>the Council's conservation area appraisals</del> <u>Statements</u> ,<br><b>ii</b> generally within, into, and out of conservation areas, <u>including the rear of properties;</u><br><b>iii</b> that affect their setting, <del>including</del> of and from development on sites adjacent to conservation areas <u>and listed buildings;</u> |
|  | New policy focusing on landmarks   | <b>d.</b> <u>require development to respect the setting of a landmark, taking care not to create intrusive elements in its foreground, middle ground or background.</u>  | None  | No change  | <b>d.</b> <u>require development to respect the setting of a landmark, taking care not to create intrusive elements in its foreground, middle ground or background.</u>   |
| <b>CD1</b> To protect and enhance views and vistas along the riverside including: river views of Chelsea Embankment and the setting of Chelsea Old Church and views from the Thames bridges  | Contained in Building Heights SPD  |  |   |  |   |
| <b>CD2</b> To raise objection to development in adjoining boroughs which is considered to adversely affect views from the Chelsea riverside and its environs.  | Contained in Building Heights SPD  |  |   |  |   |

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| <b>CD8</b> To protect important views and vistas in and around the Royal Hospital.   | Contained in Building Heights SPD   |   |   |                                |   |
| <b>CD10</b> To protect important views and vistas in and around the South Kensington Museums Area.   | Covered above in CL11(d)  |   |   |                                |   |
| <b>CD11</b> To preserve and enhance the precinct character of South Kensington Museums Area by:<br>a) safeguarding skylines and vistas to the Natural History and Victoria and Albert Museums, the Colcutt Tower and Brompton Oratory;   | Contained in Building Heights SPD   |   |   |                                |   |
| <b>CD13</b> 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. | Contained in Building Heights SPD   |   |   |                                |   |
| <b>CD14</b> To ensure that new buildings do not impose themselves as an unsympathetic backcloth to Kensington Palace, particularly when viewed from the east across the Round Pond.  | Contained in Building Heights SPD   |   |   |                                |   |
| <b>CD15</b> To resist proposals that would encroach upon or adversely affect the setting of Holland Park.  | Contained in Building Heights SPD   |   |   |                                |   |
| <b>CD17</b> To protect the long-distance view from King Henry's Mound (Richmond Park) to St Paul's.  | Contained in Building Heights SPD   |   |   |                                |   |
| <b>High Buildings</b>  | <b>*New policy</b>  | <b>CL12</b><br><b>Building Heights</b>  |   |                                |   |
|  |   |   | <p><b>Comment ID: 103</b><br/>Building Heights: welcome new title.</p> <p><b>Comment ID: 43</b><br/>All fine. BUT no mention of advertising and signage on the tops of buildings</p> <p><b>Comment ID: 91</b><br/>We support the new wording on Building Heights in Policy CL12 and would ask that the council adds to it to make clear its intention to do all it can to resist proposals for very tall buildings in neighbouring boroughs, that impact on RBKC residents.</p> |                                |   |
|  | New chapeau   | <u>The Council will require new buildings to respect the setting of the Borough's valued townscapes and landscapes, through appropriate building heights.</u>   | None  | No change.                     | <u>The Council will require new buildings to respect the setting of the Borough's valued townscapes and landscapes, through appropriate building heights.</u>   |
|  |   | To deliver this the Council will:   |   |                                | To deliver this the Council will:   |
|  | New approach to policy.<br><br>Reflects comments in public workshop – Do we want to have more control over 'landmarks'?<br>Developers exploit 'landmark' buildings. Are we giving the right | <u>a. require proposals to strengthen our traditional townscape in terms of building heights and roofscape by requiring developments to:</u><br><u>i. reflect the prevailing building heights within the context</u><br><u>ii. provide – within the prevailing building</u> | <p><b>Comment ID: 170</b><br/>a.ii regarding Building Heights requires clarification. We would recommend this is amended to "a varied roofscape in larger developments, where appropriate. To better reflect the guidance set out in paragraph 34.3.71. In addition Policy CL12 a.iii is not</p>  | Altered to reflect comments.   | <u>a. require proposals to strengthen our traditional townscape in terms of building heights and roofscape by requiring developments to:</u><br><u>i. reflect the prevailing building heights within the context;</u><br><u>ii. provide, for larger developments, a</u> |

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|   | message to developers? Are we encouraging high buildings? | <u>height – a varied roofscape in larger developments</u><br><u>iii. use height to express local landmarks seldom so the prevailing building height is maintained.</u>  | clear. We would recommend that this is amended to read "New local landmarks which exceed the prevailing building height should be wholly exceptional and clearly justified by their context".<br><br><b>PRSC 15/01/13:</b><br>CL12a(iii) Move 'seldom' to beginning of clause  |  | <u>roofscape that reflects that of the context of the site;</u><br><u>iii. seldom use height to express local landmarks so the prevailing building height is maintained.</u>  |
|   |   | <u>b. to 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.</u> | <b>Comment ID: 73</b><br>Policy CL12 part b.<br>• We propose that an element of balance should be used when determining whether buildings significantly taller than the surrounding townscape should be resisted, and that each proposal should be judged on its own merits. The term 'wholly positive impact' is too prescriptive and fails to take account of the potential wider benefits of a proposal narrowing the consideration exclusively to a visual assessment. The term should be reworded and a definition provided to ensure that applicants understand the requirements of this part of the policy.<br><br><b>PRSC 15/01/13:</b><br>Relate to Borough townscape. Should not be able to see tall buildings in other areas of the Borough – we have a few tall buildings that can be seen from far away and this pool should not increase.<br><br><b>Comment ID: 65</b><br>We believe that the policy should be quite specific in stating that very tall buildings will not be accepted. To that end we suggest an additional subclause to CL12 confirming that very tall buildings will be resisted. | This part of the policy is about character and therefore deals primarily with visual impact. All proposals are judged on their merits.<br><br>'Wholly positive impact' is considered an acceptable test, and is not in itself too prescriptive. Requesting that tall buildings are of such quality that they have a wholly positive impact on the townscape is reasonable.<br><br>No change. | <u>b. to 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.</u> |
|   |   | <u>c. to require full planning applications for any building that exceeds the prevailing building height within the context</u>   | <b>PRSC 15/01/13:</b><br>Need justification for this policy to be reflected in the supporting text.  | No change to policy.<br>RJ updated to reflect comments.  | <u>c. to require full planning applications for any building that exceeds the prevailing building height within the context</u>   |
| CL2(h). resist proposals that exceed the prevailing building height within the context, except where the proposal is for a local or district landmark.  | Superseded – new approach to policy.                      |   |  |  |   |
| CL2(i). require proposed local landmarks to:<br>i. be of very high design quality;<br>ii. be compatible with the scale, rhythm, mass, bulk and character of the context;<br>iii. articulate positively a point of townscape legibility of local significance.                                     | Superseded – new approach to policy.                      |   |  |  |   |
| CL2(j). require proposed district landmarks to:<br>i. be of exceptional design quality;<br>ii. be of a slender profile and proportion;<br>iii. articulate positively a point of townscape legibility of significance for the wider Borough and neighbouring boroughs, such as deliberately framed | Superseded – new approach to policy                       |   |  |  |   |

**Conservation and Design Policy Review**  
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| Existing Policy  | Comments on Changes<br>December 2012 | Proposed Policy with Changes<br>deleted text <del>struck through</del> , new text<br><u>underlined in red</u> (6 <sup>th</sup> December 2012) | Public Consultation Responses<br>Collected 6 Dec 2012 – 31 Jan 2013 | Council Comments<br>March 2013 | Proposed Changes - 2 <sup>nd</sup> Draft Policy<br>March 2013 |
|--|--------------------------------------|---|---|--------------------------------|---|
| views and specific vistas;<br>iv. provide a strategic London-wide public use;<br>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 townscape when viewed from the Royal Borough. |                                      |   |   |                                |   |
| CL2(k). resist proposals that are of metropolitan scale.   | Superseded – new approach to policy  |   |   |                                |   |
| CL2(l). require full planning application(s) for all buildings that exceed the prevailing height within the context.   | Superseded – new approach to policy  |   |   |                                |   |

Engaging Public Realm Chapter

| Existing Policy  | Comments   | Proposed Policy with Changes<br>deleted text <del>struck through</del> with new<br>text <b>in red</b>  |   |  |  |
|--|--|--|---|--|--|
| CR1<br>Street Network  | No changes proposed  | CR1<br>Street Network  | <b>Comment ID: 110</b><br>need to mention "place" function. (d) there should be the opportunity for access "roads" within developments to be developed to less space consuming standards than public roads. This policy leads to too much of the "open space" within developments (eg Charles House) being devoted to paved surfaces rather than usable/green spaces. How does this relate to "appropriate street widths" in Policy CR2(a)?   | The policy is not prescriptive about street widths at present so there is no need to change. |  |
| CR 2<br>Three-dimensional Street Form  | No changes proposed  | CR 2<br>Three-dimensional Street Form  |   |  |  |
| Policy CR 3<br>Street and Outdoor Life   | No changes proposed  | Policy CR 3<br>Street and Outdoor Life   | <p><b>Comment ID: 46</b><br/>Should there be a subheading about accessible parks gardens and open spaces? CRe and f from the existing policy appear to have disappeared.</p> <p><b>Comment ID: 79</b><br/>We support the comments of the Kensington Society on the need for policies on Temporary Use of Open Space (CR3 e and f)</p> <p><b>Comment ID: 96</b><br/>Temporary Use of Open Spaces: This appears to have been omitted - reinstate policies CR3(e) and (f)</p> <p><b>Comment ID: 113</b><br/>Amalgamate (c) and (d) and create a new (d) (d): This should cover resisting new surface materials that are not in accord with the Streetscape Design Guidance and resisting the use of barriers to enclose areas with tables and chairs. The detail should be covered in the Streetscape Design Guidance which should be mentioned here<br/>What happened to <b>Temporary Use of Open Spaces</b> policy (CR3e and f)<br/>This policy needs to be reinstated as it is needed not just for the Royal Hospital, but also the Duke of Yorks, Burton Court, Natural History Museum, Kensington Gardens and Holland Park. The policy needs to be stronger as it has not had any impact on the escalating amount of commercial use so far – the application for the Global Champions Tour major equestrian event will be the litmus test for the policy.</p> | Error in consultation document. Policies CR3(e) and (f) to remain as existing.               |  |
| CR 4<br>Streetscape  |  | CR 4<br>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. | Public workshop comments sought a tighter policy to drive up streetscape standards. however, it is not clear how this can be achieved, given that this policy requires improvements... | 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. |   | Additions to strengthen policy   | 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, <b>that street clutter is removed and that street</b> |

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|   |  |   |   |   | <u>furniture, advertisements and signs are kept to a reasonable minimum to support the Council's aim of driving up the quality of the Borough's streetscape.</u>   |
| To deliver this the Council will:   |  | To deliver this the Council will:   |   |   | To deliver this the Council will:  |
| CR4(a). require all work to, or affecting, the public highway, to be carried out in accordance with the Council's adopted Streetscape Guidance;   | No change  | a. require all work to, or affecting, the public highway, to be carried out in accordance with the Council's adopted Streetscape Guidance;  | <p><b>Comment ID: 47</b><br/>Has the Streetscape been subject to public consultation? If not what proposals are there for consultation?</p> <p><b>Comment ID: 97</b><br/>Streetscape: The status of the Streetscape Design Guidance needs to be ratified through consultation and a key decision. (CR4)</p> <p><b>Comment ID: 117</b><br/>The Transport SPD will also be relevant, not just the Streetscape Design Guide.</p> <p><b>Comment ID: 117</b><br/>a. The Society is very concerned about the status of the Streetscape Guidance – since it has never been tested through public consultation, it cannot have the status of SPD. The recently revised streetscape guidance should be subject to consultation and revised to cover a wider range is issues (eg phone boxes, broadband cabinets) and raised to SPD status for guiding decisions and in appeals. (see 33.4.2)</p> | Streetscape Guidance first published by Transportation Department in 2004, and revised in 2012. Not a Planning policy document so cannot comment on consultation strategy for this. Not a formally adopted policy document, but is a set of principles intended as internal guidance. Suggest policy is reworded and reference to 'adoption' removed. | a. require all work to, or affecting, the public highway, to be carried out in accordance with the Council's <del>adopted</del> Streetscape Guidance;  |
| CR4(b). require all redundant or non-essential street furniture to be removed;  | No change  | b. require all redundant or non-essential street furniture to be removed;   | <p><b>Comment ID: 117</b><br/>b. add "<b>badly-maintained</b>" after "redundant" – this will give the policy backing for enforcement action against fly-posted telephone kiosks.</p>  | This may have the opposite of the desired effect and mean that street furniture will have to deteriorate before being removed.<br>No change   | b. require all redundant or non-essential street furniture to be removed;  |
| CR4(c). retain and maintain historic street furniture where it does not adversely impact on the safe functioning of the street;   | Additional references from <b>CAPS</b>   | c. retain, <del>and</del> maintain <u>and repair</u> historic street furniture, where <del>it</del> <u>this</u> does not adversely impact on the safe functioning of the street;  | <p><b>Comment ID: 117</b><br/>c. after "historic street furniture" add "<b>(eg post boxes, and historic telephone kiosks)</b>"</p>  | Noted, examples added.  | c. retain, <del>and</del> maintain <u>and repair</u> historic street furniture <u>such as post boxes, and historic telephone kiosks</u> , where <del>it</del> <u>this</u> does not adversely impact on the safe functioning of the street; |
| CR4(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;                  | No change  | 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;   | <p><b>Comment ID: 117</b><br/>d. Rewrite as: "<b>require new street furniture, where there is an exceptional need, to be of high-quality design and construction</b>"</p> <p><b>Comment ID: 97</b><br/>Amendments are needed to policy CR4 to cover recent experience with street furniture, advertisements and broadband cabinets.</p>   | This is covered already by (d). The suggestion revision would allow furniture, where there is no exceptional need, to be bad quality.<br>No change.   | 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;              |
| CR4(e). require that by reason of size, siting, design, materials or method of illumination, advertising on buildings does not harm the appearance of the building or streetscene, and does not adversely affect amenity, or public or road safety; | To respond to comments at the public workshop that this policy needed to be wider in its application | e. require that by reason of size, siting, design, materials or method of illumination, advertising on buildings, <u>hoardings, street furniture or free standing structures</u> does not harm the appearance of the building or streetscene, and does not adversely affect <del>amenity</del> the character or appearance of the area, or public or road safety; | <p><b>Comment ID: 117</b><br/>e. <b>strongly support</b> these changes in response to JC Decaux/BT proposals for payphones on the back of large free-standing advertisement panels.</p>   | No change   | <u>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;</u>   |
| CR4(f). resist temporary or permanent advertising hoardings, or freestanding adverts on streets, forecourts or roadsides, or advertisements attached to street furniture, where these negatively impact on  | Altered to reflect comments from public workshop   | f. resist temporary or permanent advertising hoardings, or freestanding adverts on streets, forecourts or roadsides, or advertisements attached to street furniture <u>such as kiosks and phone booths</u> , where  | <p><b>Comment ID: 80</b><br/>On Policy CR4 Streetscape, we strongly support the addition wording to strengthen the council's policies of resisting advertising on freestanding structures, kiosks and phone booths. Commercial</p>  | No change intended to original policy (g).<br><br>New policy taking the first part of (f) above.  | <u>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.</u>                   |

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| our high quality townscape or on public or road safety;   |   | these negatively impact on our high quality townscape or on public or road safety;  | pressure for such advertising continues to rise, and the council will need policies of maximum strength to resist this trend.<br><br><b>Comment ID: 117</b><br>f. after “kiosks and phone booths” add “ <b>and broadband or other cabinets</b> ”<br><br><b>Comment ID: 48</b><br>f add telephone and broadband boxes after kiosks and phone booths. Existing policy g should be retained and an additional policy h introduced for the last item. |   |   |
| CR4(g). resist pavement crossovers and forecourt parking;   | No change   | g. resist pavement crossovers and forecourt parking;  | None  | No change   | g. resist pavement crossovers and forecourt parking;  |
| CR4(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.  | No change – or do we want a change? More contributions?     | 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.   | None  | No change   | 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.   |
| <b>CR 5<br/>Parks, Gardens, Open Spaces and Waterways</b>   |   | <b>CR 5<br/>Parks, Gardens, Open Spaces and Waterways</b>   | <b>Comment ID: 74</b><br>We support the recommended changes and are pleased that the policy has been amended to highlight the importance of the boroughs waterways.   |   |   |
| The Council will protect, enhance and make the most of existing parks, gardens, open spaces, and require new high quality outdoor spaces to be provided.  | Add reference to waterways in chapeau                       | The Council will protect, enhance and make the most of existing parks, gardens, open spaces <u>and waterways</u> , and require new high quality outdoor spaces to be provided.  | None  | No change   | The Council will protect, enhance and make the most of existing parks, gardens, open spaces <u>and waterways</u> , and require new high quality outdoor spaces to be provided.  |
| To deliver this the Council will:   | Add subheading to focus first part of policy on <b>land</b> | To deliver this the Council will, <u>in relation to:</u><br><b>Parks, Gardens and Open Spaces</b>   | None  | No change   | To deliver this the Council will, <u>in relation to:</u><br><b>Parks, Gardens and Open Spaces</b>   |
| CR5(a). resist the loss of existing:<br>i. Metropolitan Open Land;<br>ii. public open space;<br>iii. private communal open space and private open space where the space gives visual amenity to the public;   | Remove ‘visual amenity’                                     | a. resist the loss of existing:<br>i. Metropolitan Open Land;<br>ii. public open space;<br>iii. private communal open space and private open space where the space <u>contributes to the character and appearance of the area</u> gives visual amenity to the public;   | None  | No change   | a. resist the loss of existing:<br>i. Metropolitan Open Land;<br>ii. public open space;<br>iii. private communal open space and private open space where the space <u>contributes to the character and appearance of the area</u> gives visual amenity to the public;   |
| CR5(b). resist development that has an adverse effect upon the environmental and open character or visual amenity of Metropolitan Open Land or sites which are listed within the Register of Parks and Gardens of Special Historic Interest in England, or their setting; | Additions from <b>CAPS</b> and replace ‘visual amenity’     | b. resist development that has an adverse effect upon the environmental and open character, <u>appearance and function</u> of <u>visual amenity</u> of <u>Conservation Areas</u> , Metropolitan Open Land or sites which are listed within the Register of Parks and Gardens of Special Historic Interest in England, or their setting; | None  | No change   | b. resist development that has an adverse effect upon the environmental and open character, <u>appearance and function</u> of <u>visual amenity</u> of <u>Conservation Areas</u> , Metropolitan Open Land or sites which are listed within the Register of Parks and Gardens of Special Historic Interest in England, or their setting; |
| CR5(c). resist development that has an adverse effect on garden squares including proposals for subterranean development, and to promote the enhancement of garden squares.   | Remove ‘promote’ clause – include instead in RJ.            | d. resist development that has an adverse effect on garden squares including proposals for <u>basements</u> <u>subterranean development</u> , <u>and to promote the enhancement of garden squares.</u>  | <b>Comment ID: 119</b><br>There needs to be specific mention of Kensal Green and Brompton Cemeteries to cover UDP policy CD16.  | Not sure this comment refers to this policy?<br>No change | c. resist development that has an adverse effect on garden squares including proposals for <u>basements</u> <u>subterranean development</u> , <u>and to promote the enhancement of garden squares.</u>  |

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| CR5(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; | Concern expressed at public workshop that the existing parks are already over-utilised. However, we have to be realistic, and the chances of new, sizeable, chunks of public open space being delivered in the Borough are remote. No change therefore proposed. | <b>e.</b> 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; | CR5(d): Line 1: Delete “radius” and insert “walking distance”  | Radius and walking distance are not the same thing. Radius is a fixed measurement, whereas walking distance relies on who is doing the walking. Industry standards define 400m radius as acceptable distance to walk. A prescribed distance ensures the policy is clear to everyone. No change.  | <b>d.</b> 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; |
| CR5(e). require all major developments to provide on site external play space, including for under 5s, based on expected child occupancy;   | Add to RJ – see notes  | <b>f.</b> require all major <b>residential</b> developments to provide on site external play space, including for under 5s, based on expected child occupancy;  | None   | No change  | <b>e.</b> require all major <b>residential</b> developments to provide on site external play space, including for under 5s, based on expected child occupancy;  |
| CR5(f). require all green open space to optimise biodiversity and wildlife habitat;   | No change  | <b>g.</b> require all green open space to optimise biodiversity and wildlife habitat;   | None   | No change  | <b>f.</b> require all green open space to optimise biodiversity and wildlife habitat;   |
| CR5(g). require all open space that forms part of a proposal to be designed and landscaped to a high standard;  | Covered by <b>CR6(f)</b>   |   | <b>Comment ID: 3</b><br>g. Why is this deleted? Does it appear elsewhere, if not it should be reinstated. If it is felt that special mention needs to be made of the Royal Hospital this should be an additional item. jii. And kii. Why delete these items? Surely existing residents should have priority over new moorings<br><br><b>Comment ID: 119</b><br>CR5(g) Retain existing (g) and renumber proposed new (g) as (h) and so on for the rest of the policy<br><br><b>Comment ID: 78</b><br>The Forum objects to the deletion of the statement that the Council will g require all open space that forms part of a proposal to be designed and landscaped to a high standard. Good design and landscaping is very important to protect and enhance the quality of the urban environment particularly in relation to parks, gardens and open spaces and the Forum therefore requests that this statement be re-instated. Removing it would weaken and change the meaning of this policy | This is considered to be covered by CR6(f), which says:<br><br><i>f. require landscape design to:</i><br><i>i. be fit for purpose and function;</i><br><i>ii. be of a high quality and compatible with the surrounding landscape, and townscape character;</i><br><i>iii. clearly defined as public or private space;</i><br><i>iv. optimise the benefit to wildlife habitat;</i><br><br>CR6(f) considered to be stronger than previous CR5(g) |   |
| <b>CD9</b> - To protect the open spaces surrounding the Royal Hospital from inappropriate development both in the landscaped areas themselves and in the neighbouring streets.  | Direct translation from <b>CD9</b>   | <b>h.</b> protect the open spaces surrounding the Royal Hospital from inappropriate development both in the landscaped areas themselves and in the neighbouring streets.  | None   | No change  | <b>g.</b> protect the open spaces surrounding the Royal Hospital from inappropriate development both in the landscaped areas themselves and in the neighbouring streets.  |
| <b>CD16</b> - To promote opportunities for the appreciation of Kensal Green and Brompton Cemeteries whilst protecting their special character.  | Remove – ‘promote opportunities for’ has little weight. Both cemeteries including their setting are protected as they are both conservation areas  |   |  |  |   |
|   | Add subheading to focus second part of policy on <b>waterways</b>  | <b>Waterways</b>  |  |  |   |
| CR5(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.  | No change  | <b>i.</b> 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.  | None   | No change  | <b>h.</b> 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.  |

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| <b>CD4</b> To resist permanently moored vessels on the River, except where they would not have:<br>a) a detrimental effect on the special character of the river;<br>b) a detrimental effect on amenity arising from traffic generation or servicing needs;<br>c) an adverse affect on the character or appearance of the existing residential moorings at Battersea Reach. | Direct translation of <b>CD4</b> ,<br>CD4(b) covered in <b>CL5 Amenity</b>          | <b>m.</b> resist permanently moored vessels on the River, except where they would not have:<br>i. a detrimental effect on the special character of the river;<br><del>ii. a detrimental effect on the amenity physical and material comfort of residents arising from traffic generation or servicing needs;</del><br>ii. an adverse affect on the character or appearance of the existing residential moorings at Battersea Reach. | <b>Comment ID: 74</b><br>However, it should also be noted that permanently moored boats should not have a detrimental effect on the biodiversity of a watercourse, including the foreshore and bank, nor should they, or their supporting infrastructure have a detrimental affect to the risk of flooding.                  | This chapter concerns character. Issues of flooding and environmental management dealt with in Respecting Environmental Limits. Addition of 'biodiversity' to acknowledge the effect this has on character of river. | <b>i.</b> resist permanently moored vessels on the River, except where they would not have:<br>i. a detrimental effect on the special character, <u>including biodiversity</u> , of the river;<br><del>ii. a detrimental effect on the amenity physical and material comfort of residents arising from traffic generation or servicing needs;</del><br>ii. an adverse affect on the character or appearance of the existing residential moorings at Battersea Reach. |
| <b>CD5</b> To seek to protect and enhance the established area of residential moorings at Battersea Reach.  | Propose to delete this as it is a 'seek' policy which we have avoided in the CS.    |   |  |  |  |
| <b>CD22</b> - To permit residential moorings on the Grand Union Canal provided that:<br>a) there are adequate services for permanently moored vessels;<br>b) other canal users (both water and land-based) are not adversely affected; and<br>c) local residential amenity is not affected.   | Direct translation from <b>CD22</b><br><b>CD22(c)</b> covered in <b>CL5 Amenity</b> | <b>n.</b> permit residential moorings on the Grand Union Canal provided that:<br>i. there are adequate services for permanently moored vessels;<br>ii. other canal users (both water and land-based) are not adversely affected; <del>and</del><br><del>iii. local residential amenity physical and material comfort is not affected.</del>   | None   | No change  | <b>j.</b> permit residential moorings on the Grand Union Canal provided that:<br>i. there are adequate services for permanently moored vessels;<br>ii. other canal users (both water and land-based) are not adversely affected; <del>and</del><br><del>iii. local residential amenity physical and material comfort is not affected.</del>  |
| <b>CR 6</b><br><b>Trees and landscape</b>   |   | <b>CR 6</b><br><b>Trees and landscape</b>   |  |  |  |
| 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.  | No change   | 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.  | None   | No change  | 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:   |   | To deliver this the Council will:   |  |  | To deliver this the Council will:  |
| CR6(a). resist the loss of trees unless:<br>i. the tree is dead, dying or dangerous;<br>ii. the tree is causing significant damage to adjacent structures;<br>iii. the tree has little or no amenity value;<br>iv. felling is for reasons of good arboricultural practise   | Spelling  | a. resist the loss of trees unless:<br>i. the tree is dead, dying or dangerous;<br>ii. the tree is causing significant damage to adjacent structures;<br>iii. the tree has little or no amenity value;<br>iv. felling is for reasons of good arboricultural <del>practise</del> <u>practice</u>   | None   | No change  | a. resist the loss of trees unless:<br>i. the tree is dead, dying or dangerous;<br>ii. the tree is causing significant damage to adjacent structures;<br>iii. the tree has little or no amenity value;<br>iv. felling is for reasons of good arboricultural <del>practise</del> <u>practice</u>  |
| CR6(b). resist development which results in the damage or loss of trees of townscape or amenity value;  | No change   | b. resist development which results in the damage or loss of trees of townscape or amenity value;   | <b>Comment ID: 98</b><br>Trees: There needs to be a stronger general policy, but specifically for basements, to "require an appropriate replacement in terms of size and amenity value for any tree that is felled and require sufficient space for the new tree to grow" (CR6)  | This is dealt with in the new Basements policy.<br>No change.  | b. resist development which results in the damage or loss of trees of townscape or amenity value;  |
| CR6(c). require where practicable an appropriate replacement for any tree that is felled;   | No change   | c. require where practicable an appropriate replacement for any tree that is felled;  | <b>Comment ID: 49</b><br>c and allow suitable space for future development<br><br><b>Comment ID: 120</b><br>CR6 (c): Rewrite as:<br>"require an appropriate replacement in terms of size and amenity value for any tree that is felled and require sufficient space for the tree to grow."<br>NB: Delete "where practicable" | CR6(c) considered sufficient<br>No change  | c. require where practicable an appropriate replacement for any tree that is felled;   |
| CR6(d). require that trees are adequately protected throughout the course of development;   | No change   | d. require that trees are adequately protected throughout the course of development;  | None   | No change  | d. require that trees are adequately protected throughout the course of development;   |

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|--|--|---|--|---|---|
| CR6(e). require new trees to be suitable species for the location and to be compatible with the surrounding landscape and townscape  | No change  | e. require new trees to be suitable species for the location and to be compatible with the surrounding landscape and townscape;   | None   | No change   | e. require new trees to be suitable species for the location and to be compatible with the surrounding landscape and townscape;   |
| CR6(f). require landscape design to:<br>i. be fit for purpose and function;<br>ii. be of a high quality and compatible with the surrounding landscape, and townscape character;<br>iii. clearly defined as public or private space;<br>iv. optimise the benefit to wildlife habitat; | Concern was expressed at the public workshop that the phrase 'fit for purpose' was meaningless, but it is difficult to know how else to express the desire for something to be designed to be able to do the job that it is said that it will do...<br>No change proposed. | f. require landscape design to:<br>i. be fit for purpose and function;<br>ii. be of a high quality and compatible with the surrounding landscape, and townscape character;<br>iii. clearly defined as public or private space;<br>iv. optimise the benefit to wildlife habitat; | <b>Comment ID: 120</b><br>CR6 (f) This needs to deal with avoiding impermeable surfaces and ensuring SUDS are provided to provide water for trees.               | Policy CE2(e) and (f) deal with a requirement for SUDs and the resistance of impermeable surfaces.  | f. require landscape design to:<br>i. be fit for purpose and function;<br>ii. be of a high quality and compatible with the surrounding landscape, and townscape character;<br>iii. clearly defined as public or private space;<br>iv. optimise the benefit to wildlife habitat; |
| CR6(g). serve Tree Preservation Orders or attach planning conditions to protect trees of townscape or amenity value that are threatened by development.  | No change  | g. serve Tree Preservation Orders or attach planning conditions to protect trees of townscape or amenity value that are threatened by development.  | None   | No change   | g. serve Tree Preservation Orders or attach planning conditions to protect trees of townscape or amenity value that are threatened by development.  |
| <b>CR 7 Servicing</b>  | No changes proposed  | <b>CR 7 Servicing</b>   | <b>Comment ID: 121</b><br>Servicing This is largely a transport rather than public realm issue - should this be here, in Chapter 32 and/or in the Transport SPD? | Policies dealing with Servicing are currently out to consultation under the umbrella of Miscellaneous Matters. No change proposed as part of the Conservation and Design policy review. |   |