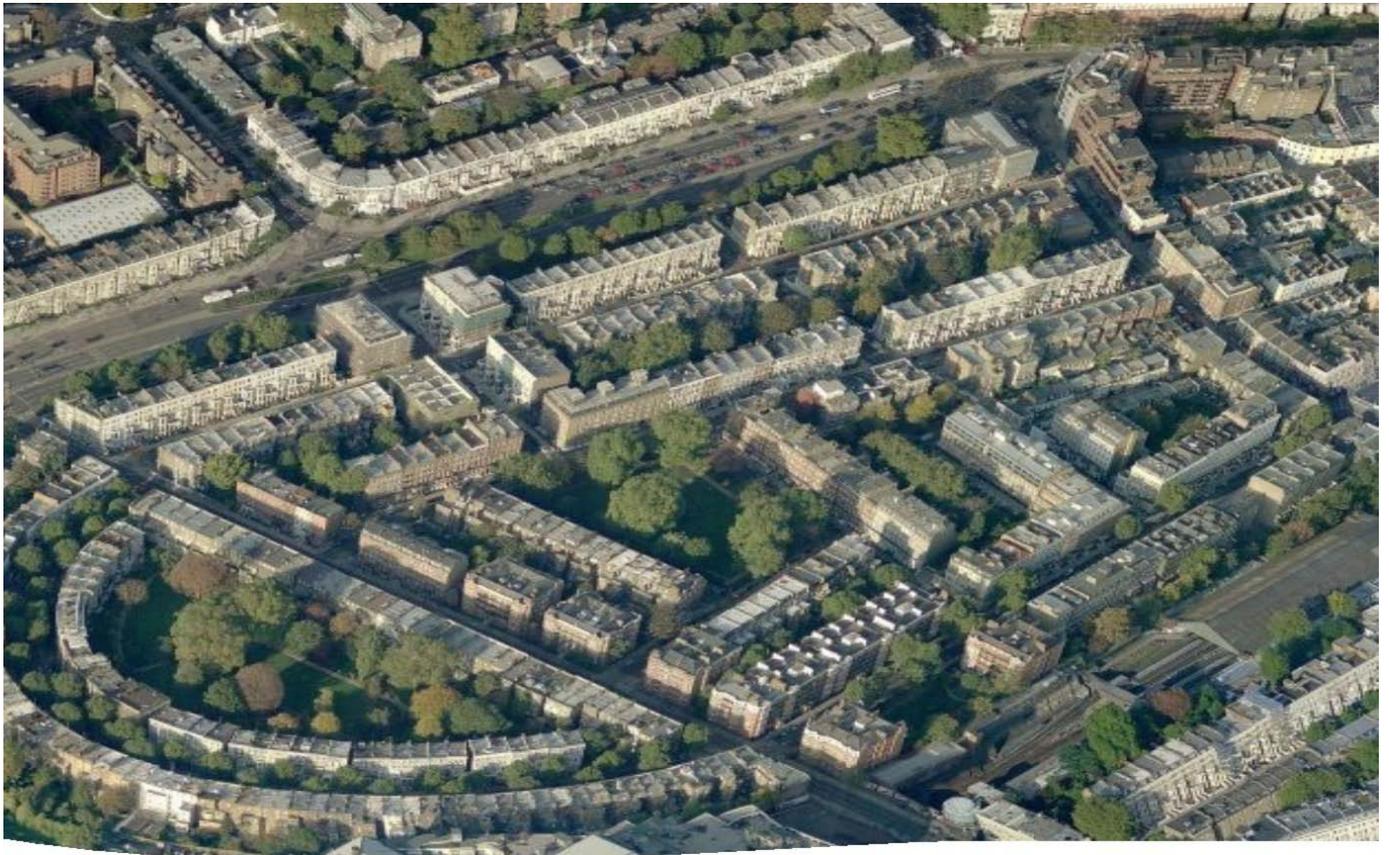


building on success



Conservation and Design Draft Policy for Public Consultation

Partial Review of the Core Strategy

December 2012



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

This is a Local Development Document under the Town and Country Planning (Local Planning) (England) Regulations. This consultation relates to Regulation 18.

Conservation and Design

Draft Policy for Public Consultation

Partial Review of the Core Strategy

Consultation Information

This document has been published for comments for an 8 week period from Thursday 6th December. During this period a meeting will be arranged to allow discussion of the draft document.

If you would like to send in comments on this document, please do so by Thursday 31st January 2013.

- By the dedicated consultation portal on our website
- By email to planningpolicy@rbkc.gov.uk
- By post to Planning Policy Team, Kensington Town Hall, Hornton Street, London, W8 7NX

It would be helpful if you could be as specific as possible with your comments, and where appropriate refer to the relevant paragraph or clause.

Chapter 34

Renewing the Legacy Conservation, quality and design

34.1 INTRODUCTION

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

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

CO 5 Strategic Objective for Renewing the Legacy

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

34.2 WHAT THIS MEANS FOR THE BOROUGH

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

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

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

RENEWING THE LEGACY

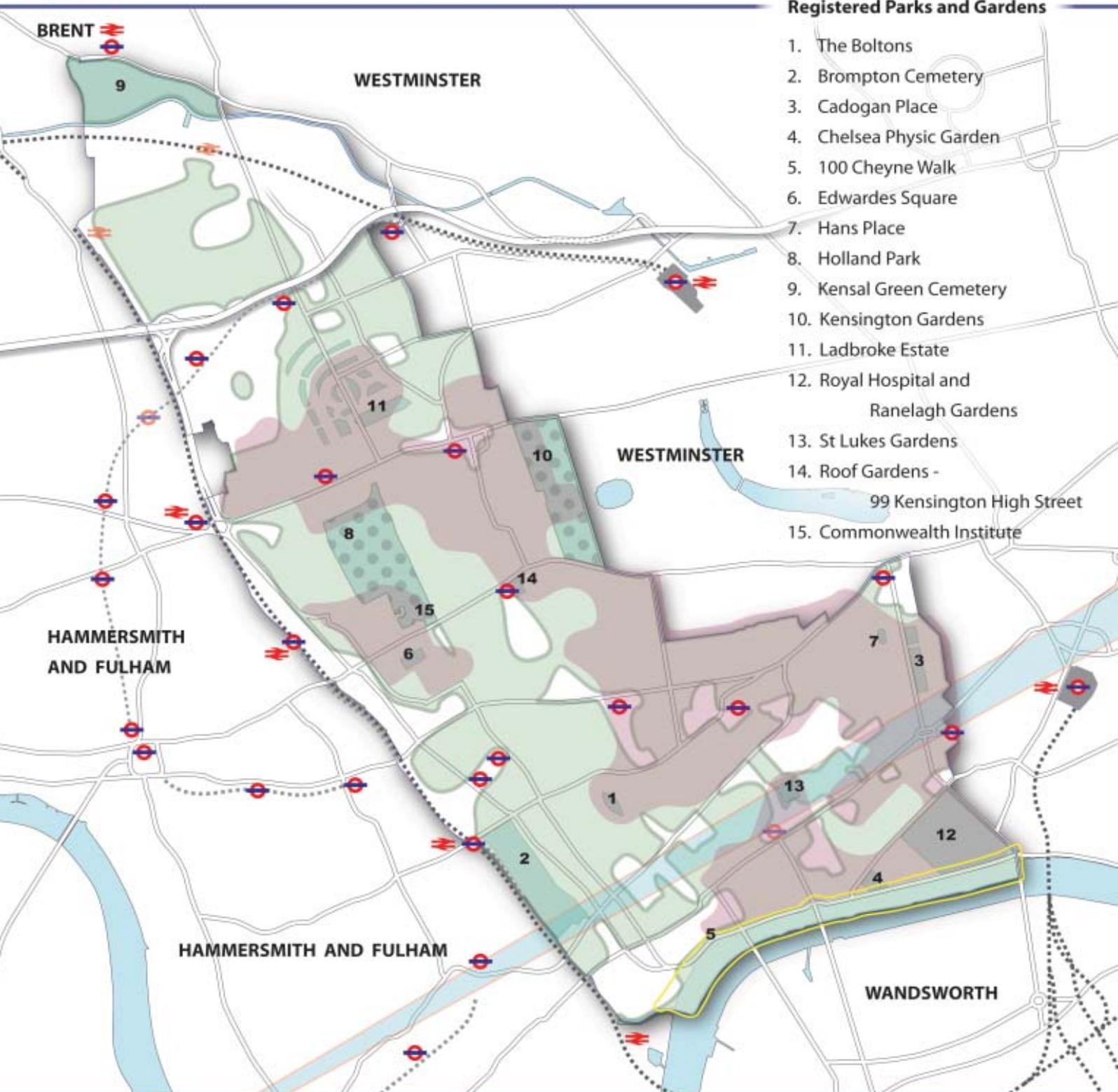
Conservation Areas, Listed Buildings, Registered Parks and Gardens and Strategic View

-  Conservation Areas
-  Parks and Gardens of Special Historic Interest
-  Strategic View

-  Areas containing a concentration of listed buildings
-  Metropolitan Open Land

Registered Parks and Gardens

1. The Boltons
2. Brompton Cemetery
3. Cadogan Place
4. Chelsea Physic Garden
5. 100 Cheyne Walk
6. Edwardes Square
7. Hans Place
8. Holland Park
9. Kensal Green Cemetery
10. Kensington Gardens
11. Ladbrooke Estate
12. Royal Hospital and Ranelagh Gardens
13. St Lukes Gardens
14. Roof Gardens - 99 Kensington High Street
15. Commonwealth Institute



34.3 PLANNING POLICIES

Context and Character

- 34.3.1** ~~34.3.1~~ The Borough's townscape is unique in its high quality, finely grained, historic built environment with a strong context and **strong** character. The Council has a reputation of upholding high standards of conservation and design. **The physical context of the Borough is highly valued, far beyond the Borough itself.**
- ~~34.3.2~~ Text combined with 34.3.2 below The Council consider that the assessment of planning applications should be based on whether they are 'good enough to approve' rather than 'bad enough to refuse' to ensure the continuation of our existing high quality environment.
- 34.3.2** ~~34.3.3~~ The Council have has a hard won reputation for requiring more for the Borough's historic urban fabric than **Over and above the** pure preservation when it comes to assessing planning applications. **of our historic urban fabric** we have embraced the principle of resisting '*design that fails to take the opportunities available for improving the character and quality of the area and the way it functions*'¹. We are therefore constantly seeking to improve our environment and new development must improve upon the existing situation. **Assessment of planning applications is therefore based on whether they are 'good enough to approve' rather than 'bad enough to refuse' to ensure the continuation of our existing high quality environment.**
- 34.3.3** ~~34.3.4~~ The Borough is a highly desirable place to live, shown by the highest average home prices in England². **These strong residential land values have led to pressure for the change to residential use. The principle of change of use is addressed in Keeping Life Local and Fostering Vitality. But the part that use plays in character must not be overlooked. The distinctive character of many buildings comes from their use, their role in the community, the facilities they provide and the activity they generate as much as their physical appearance. (Move second part of paragraph to CL3 Conservation Areas and Historic Spaces)** ~~A building's use can contribute to the character of a conservation area and to a sense of place. The Borough contains a scatter of incidental mixed uses within its residential neighborhoods, which offer variety, surprise and delight. These punctuate the street scene and add to the vitality and character of a conservation area. Their loss diminishes the character of the townscape, the cherished local scene and the vitality and diversity of the area.~~
- 34.3.4** ~~34.3.4~~ The Borough is a highly desirable place to live, shown by the highest average home prices in England⁽²⁾. This is against a backdrop of **The Borough has** considerable residential densities but surprisingly modest building scales. For example, Victorian terraced housing in the Borough is typically **of four storeys**, consists of **providing** 700 habitable rooms per hectare (hrh) in 4 storeys; Edwardian terraced mansion blocks increasing at six storeys provide this to 970hrh in 6 storeys. In North Kensington, the typical density and height of the postwar estates are **five and six storeys, providing** 500hrh and 5-6 storeys, much lower than in the Victorian period.

¹ PPS 1: Delivering Sustainable Development, 2006.

² Land Registry (2009).

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

34.3.5 ~~34.3.6~~ The Borough does not shy away from high density designs; it is an exemplar in demonstrating that high density and high quality are compatible. ~~our context encourages us to deliver high density schemes. However, the Council considers that densities should not, however, be used as the sole determinant of design, as it would undermine our~~ We have a duty to have regard both to the desirability of preserving or enhancing the character or appearance of conservation areas, and to good design³. The density matrix in the London Plan⁴ therefore needs to be read in relation to the context of the development.

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

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

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

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

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

34.3.9 ~~34.3.11~~ It is important that a A comprehensive approach is taken to site re-development is important so that layout and design quality are not compromised, there is efficient use of

³ Listed Buildings and Conservation Areas Act 1990 & Planning and Compulsory.

⁴ Refer to the GLA density matrix for the appropriate range.

land and opportunities to improve the surrounding townscape are taken. This can include, ~~on~~ **occasionally**, assessing adjacent sites and their development potential as ~~part of the development appraisal process~~, so that a piecemeal and uncoordinated approach to site re-development is avoided.

34.3.10 ~~UDP 4.3.7~~ The development of “backland” sites is inevitably difficult to achieve ~~successfully~~. A backland site is land often not built over, which **that** is surrounded by other development and which has either a very limited or no street frontage. Access is **Because of the nature of these sites, integrating development into the surrounding context can be** a major problem. ~~and the amenities of adjoining properties need to be protected. The open and landscaped character of the land may be detrimentally affected.~~

34.3.11 The Borough’s traditional urban block has a hierarchy of scale that gives the streetscape a clear degree of legibility. Mews streets are common to the Borough and demonstrate the use of different scales to occupy these internal spaces within bigger perimeter blocks.

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

34.3.13 ~~UDP 4.4.22~~ Artists’ studios represent a distinctive building type which **that** emerged in the middle of the nineteenth century. They are characterised by a number of features including large windows and expanses of studio space behind. They exist in many forms from grand studio houses commissioned by famous artists of the day, to more modest and utilitarian speculatively built groups. There are significant numbers in the Royal Borough, which make an important contribution to its character and appearance. There is considerable pressure both for the introduction of new uses and the carrying out of alterations. This pressure is threatening the essence and character of these studios and consequently, undermining the artistic traditions of the Borough.

Policy CL1 Context and Character

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

To deliver this the Council will:

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

CL1 Context and Character cont.

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

Design Quality ~~New Buildings, Extensions and Modifications to Existing Buildings~~

- 34.3.14** ~~34.3.12~~ The Royal Borough has a distinctive townscape of high quality, often characterised by a wide variety of architectural styles within relatively small areas. ~~To renew the legacy,~~ a A sensitive approach to the architectural design of new buildings, and to extensions and modifications to existing buildings will be required to renew the legacy. This should be to a high quality, with very high quality expected within conservation areas.
- 34.3.15** ~~34.3.13~~ Definitions of good design are many and varied. Design is often interpreted to be about appearance. But good design must also take account of functionality. ~~This is as true in relation to design in the built environment as it is in relation to other types of design, such as product design.~~ The most commonly used set of objectives for good design in the built environment are those set out in 'By Design'⁵. But we believe the three criteria set by Vitruvius: functional, robust and attractive, provide a timeless assessment of good design, and can be applied at any scale, from the design of a chair, to a building, or part of a city⁶.
- 34.3.16** ~~34.3.14~~ In the past, crime prevention, accessibility and inclusivity have not been aspects of initial design, such features are often added at a later date in a way which is not always sensitive to the existing building or the surrounding character. Architecture is about more than just aesthetics. ~~and these f~~Functional issues such as crime prevention, accessibility and inclusivity must have to be integrated into the design at the outset. This holistic approach will ensure that the final architectural quality of any development is not compromised. ~~and the unique character of the Borough is therefore upheld.~~

⁵ 'By Design': urban design in the planning system towards better practice. CABE, 1 May 2000.

⁶ Vitruvius proposed that the creations of architecture should display three qualities: utilitas, firmitas and venustas. These were rendered into English in 1624 by Sir Henry Wotton as 'commodity, firmness and delight'. It is difficult to better this description, but we have used more conventional language for the 21st century.

- 34.3.17** ~~34.3.15~~ Sustainability is also essential in good design for the 21st century and has meanings at many applies to all levels of development, from the macro to the micro. †The philosophy of sustainability must be integrated into the architectural approach from the beginning of the design process. The plan as a whole is concerned with social, environmental and economic sustainability. In terms of architectural design the focus is on the use of resources use. Detailed policies in this regard are set out in Chapter 36 'Respecting Environmental Limits'. ~~But the philosophy of sustainability must be integrated into the architectural approach from the beginning of the design process.~~
- 34.3.18** ~~34.3.16~~ The distinctive townscapes of the Royal Borough vary from the ~~contrasting~~ grandeur of the terraces, squares and crescents to the relative modesty of the mews. Together with garden squares they give a unique character to the Borough, and as such a blanket design approach to new buildings and extensions would not be appropriate. In some cases replicating the design of adjacent buildings will be more appropriate, in others a more contemporary approach will work, depending on the variety or uniformity and quality of the surrounding context.
- 34.3.19** ~~34.3.17~~ Although the majority of the Borough's building stock is of high quality, ~~in the Council's view~~ there are currently only two buildings which are considered to be eyesores: the Forum Hotel in Gloucester Road and Newcombe House in Notting Hill Gate. Where the redevelopment of such buildings comes forth, a flexible approach will be taken in order to facilitate redevelopment. Eyesores will only be identified through Supplementary or Development Planning Documents.

Policy CL2 Design Quality

~~New Buildings, Extensions and Modifications to Existing Buildings~~

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

To deliver this the Council will, ~~in relation to:~~

Architectural Design

- a.** require development to be:
 - i.** Functional - fit for purpose and legible;
 - ii.** Robust - well built, remain in good condition and adaptable to changes of use, lifestyle, demography and climate;
 - iii.** Attractive - pleasing in its composition, materials and craftsmanship;
 - iv.** Locally distinctive - responding well to its context;
 - v.** Sustainable - in the use of resources, construction and operation;
 - vi.** Inclusive - accessible to all;
 - vii.** Secure - designs out crime.
- b.** require an appropriate architectural style on a site- by-site basis, in response to:
 - i.** the context of the site;
 - ii.** the building's proposed design, form and use;
 - iii.** whether the townscape is of uniform or varied character.
- c.** facilitate the redevelopment of 'eyesores' by offering flexibility in relation to policies which make redevelopment with buildings more suited to their context demonstrably unviable;

Heritage Assets - Conservation Areas and Historic Spaces

- 34.3.20** ~~34.3.35~~ The historic environment is central to the character of the Borough and the Council has a duty⁷ under the ~~Listed Buildings and Conservation Areas Act 1990~~ to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. ~~The special character and appearance of the historic environment is the the most important factor of our high quality townscape.~~
- 34.3.21** ~~34.3.36~~ The Royal Borough has a reputation for championing the conservation of its high quality historic environment. Preserving and enhancing our conservation areas continues to be a high priority for the Council. ~~The Council considers that i~~n order fulfil its statutory duty and adequately assess planning applications within conservation areas, there is a need for proposals to provide full detail rather than outline applications.
- 34.3.22** ~~34.3.37~~ The character and appearance of a conservation area is not only provided by the high quality and appearance of individual buildings within the area and the inter relationship between them but it is also gained from views into and out of the area. Therefore development that impacts on setting, including the effect on views, gaps and vistas identified within appraisals of conservation areas ~~Proposal Statements~~, needs to be assessed to ensure that the character and appearance of the area is conserved.
- 34.3.23** ~~34.3.38~~ The Council takes seriously its statutory responsibility to improve or enhance the built environment within conservation areas ~~seriously~~. In situations where quality of the built environment has been eroded, a pro-active approach is needed to ensure the environment is continuously improved.
- 34.3.24** ~~34.3.39~~ The partial or full demolition of an heritage asset, whether it be a listed building or unlisted structure which has of architectural merit, can cause irreversible damage to the character and appearance of our high quality townscape.
- 34.3.25** ~~34.3.40~~ As the vast majority of the Borough is covered by within a conservation areas, there are limited opportunities for new development. Allowing a site to fall into disrepair, resulting in subsequent partial or full demolition may be an incentive for developers on sites where a different building design is sought. ~~The Council therefore considers that~~ Proposals for the partial or full demolition of structures requires careful consideration, particularly the in assessing ~~ment~~ of the appropriateness of the replacement structure.
- 34.3.26** ~~34.3.41~~ There have been instances of occasional building collapse in the Borough within conservation areas where Conservation Area Consent is required for substantial demolition. Such areas are designated to ensure that proposals preserve or enhance the character or appearance of the area. The collapse of a building should not therefore be viewed as an incentive to depart from the original design of the building.
- 34.3.27** In addition, a building's use can contribute to the character of a conservation area and to a sense of place. The Borough contains a scatter of incidental mixed uses

⁷ s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

within its residential neighborhoods, which offer variety, surprise and delight. These punctuate the street scene and add to the vitality and character of a conservation area. Their loss diminishes the character of the townscape, the cherished local scene and the vitality and diversity of the area.

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

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

Policy CL 3

Heritage Assets - Conservation Areas and Historic Spaces

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

To deliver this the Council will:

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

Heritage Assets - Listed Buildings, Scheduled Ancient Monuments and Archaeology

34.3.30 ~~34.3.42~~ The Borough's historic assets play a significant role in the overall quality of the historic environment, not only in this Borough, but within the whole of London. The Council has a duty to pay special regard to the desirability of preserving listed buildings or scheduled ancient monuments and their settings or any features of special architectural or historic interest which they possess. ~~The Council also considers that~~ Local historic features

such as memorials (particularly war memorials, including those on private land or within buildings), plaques, coal plates, horse and cattle troughs and historic bollards are historic assets worthy of protection, whether listed or not.

34.3.31 ~~34.3.43~~ Listed buildings and scheduled ancient monuments can be negatively affected not only by inappropriate additions, internal and external alterations, ~~subterranean development~~, and demolition, but also by inappropriate use and unsympathetic neighbouring development. Such changes can diminish the architectural and historic value and detract from their setting. **Listed buildings are best used for their original purpose.**

34.3.32 ~~34.3.44~~ The Borough contains two Scheduled Ancient Monuments: the Brick Kiln in Walmer Road and Kensington Palace. Archaeological remains constitute the principal surviving evidence of the Borough's past, but are a finite and fragile resource. The destruction of such remains, by development, should be avoided to ensure the Borough's past is not lost forever.

Policy CL 4

Heritage Assets - Listed Buildings, Scheduled Ancient Monuments and Archaeology

The Council will require development to protect the significance of preserve or enhance the special architectural or historic interest of listed buildings, and scheduled ancient monuments and their settings, and the conservation and protection and of sites of archaeological interest.

To deliver this the Council will:

- 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;**
- b. ~~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;
- c. ~~e.~~ 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;**
- d. ~~d.~~ require internal or external architectural features of listed buildings or scheduled ancient monuments, commensurate with the scale of the development, to be:
 - i. reinstated where the missing features are considered important to their special interest;
 - ii. removed where the additions to or modifications are considered inappropriate or detract from their special character;
- e. ~~e.~~ resist the change of use of a listed building which that would materially harm its character;
- f. ~~f.~~ strongly encourage any works to a listed building to be carried out in a correct, scholarly manner by appropriate specialists;
- ~~g. require development to protect the setting of listed buildings, scheduled ancient monuments or sites of archaeological interest;~~
- ~~h. resist development which would threaten the conservation, protection or setting of archaeological remains;~~
- g. ~~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.

Amenity Living Conditions

~~34.3.45 The densely developed nature of the Royal Borough is such that the protection of the levels of amenity enjoyed by users of its existing buildings and spaces, and the design of new development to provide for equally high levels of amenity, are critical factors to ensuring a good quality of life for all.~~

~~34.3.46 The Borough's dense historic pattern of development has resulted in buildings that are in close proximity to one another. It means that amenities such as light and privacy take on added significance. Current expectations are for better standards of light and privacy than in the past and the historic pattern of development has permitted. The Council considers that proposals for new residential and non-residential development should ensure a reasonable standard of visual privacy and provide good conditions for daylight and sunlight taking into account the amenity conditions of the surrounding area. In assessing the effect of new development on light conditions, the Council will, have regard to the guidelines in 'Site Layout for Daylight and Sunlight: a Guide to Good Practice' published by the Building Research Establishment. Light, including sunlight, is also important to the enjoyment of gardens and open spaces, and these will normally be included in the asse~~

~~34.3.47 In considering development proposals, the Council will not be seeking to ensure that they meet any particular minimum or maximum standard. Where proposals affect the light conditions in and around adjoining property, the extent of which involves a significant and unreasonable worsening of light conditions for those properties will be assessed, taking account of the prevailing general standard of light in that local environment. Where existing buildings or spaces have poor light conditions, any worsening of light would only be justified on exceptional grounds. In some situations, it would be appropriate to take the opportunity offered by development to achieve an improvement in light conditions where these presently fall below the standard generally prevailing in the area, or where it would be otherwise appropriate to do so.~~

34.3.33 The design and layout of buildings and spaces will impact on privacy, sunlighting, daylighting, overlooking, outlook and views. The Borough's dense historic pattern of development has resulted in buildings that are in close proximity to one another. Buildings in the Borough are frequently difficult to extend without offending the light, privacy and outlook of adjoining buildings. This means that these amenities such as light and privacy take on added significance. These factors are critical in ensuring a good quality of life for a building's occupants and neighbours.

34.3.34 When assessing impacts on living conditions, as well as taking into account our Borough's residents, this extends to include occupiers of non-domestic properties including offices. Externally, these considerations apply to all forms of external space, commonly referred to as gardens, terraces and balconies.

34.3.35 The historic character and dense nature of the Borough also means that the standards of privacy that might be expected elsewhere in modern developments are most unlikely to be achieved here. Particular attention needs to be paid to these

matters to attempt to address rising public expectations in relation to living conditions.

34.3.36 In assessing the effect of new development on light conditions, the Council will have regard to the guidelines in 'Site Layout for Daylight and Sunlight: a Guide to Good Practice' published by the Building Research Establishment. Light, including sunlight, is also important to the enjoyment of gardens and open spaces, and these will normally be included in the assessment.

34.3.37 ~~34.3.49~~ With new developments, the Council will take into account the general levels of privacy for future occupants, taking into account the general levels of privacy in the immediate area, and the character of its built form and spaces, as well as the fact that people generally look for better standards than in the past. When considering privacy, while a distance of about 18 meters between opposite habitable rooms may be regarded as reducing reduces inter-visibility to a degree acceptable to most people, but there are many instances in the historic fabric of the Borough of distances less than this. It is the overall design, taking all factors into account, including the area's character, that will be the determinant of whether a proposal is acceptable or not, rather than the application of specific distances or other set standards. ~~this distance may be reduced if windows are at an angle to each other. A lesser distance is normally acceptable where windows or face the public highway.~~

34.3.38 ~~34.3.47~~ The 'good neighbourliness' of an existing property will also be relevant. For example, some buildings are situated very close to the property boundary and would can impose significant and unreasonable constraints on adjoining properties if standards ~~were~~ are rigidly applied.

34.3.39 UDP 4.4.6 Where development is for extensions and roof terraces, this can have harmful effects on the light, privacy and outlook of adjoining buildings. Terraces on roofs of main buildings or extensions can provide a valuable small area of open space for residents. They can also result in serious intrusion into the privacy and quiet enjoyment of neighbouring residential properties, and be visually intrusive. ~~It is normally inappropriate to set back a mansard roof to provide a terrace.~~

~~34.3.48~~ With regard to privacy, the Council will not be seeking to ensure that development proposals meet any particular minimum or maximum standard. ~~Where proposals, including extensions to existing buildings, affect the privacy of adjoining property, the extent to which they involve a significant and unreasonable worsening of overlooking to those properties will be assessed, taking into account of the prevailing general standard of privacy in that local environment and the area that is affected. In the case of non-residential development, existing and proposed, it will be necessary to assess whether the proposed occupants have a reasonable expectation of a particular standard of privacy. Privacy is also important to the enjoyment of gardens and open spaces, and these will normally be included in the assessment.~~

~~34.3.49~~ With new developments, the Council will take into account the general levels of privacy for future occupants, taking into account the general levels of privacy in the immediate area, and the character of its built form and spaces, as well as the fact that

people generally look for better standards than in the past. A distance of about 18 metres between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people. This distance may be reduced if windows are at an angle to each other. A lesser distance is normally acceptable where windows face the public highway.

- 34.3.40** ~~34.3.50~~ Given ~~T~~he densely built up nature of the Borough, a certain degree of **provides a 'sense of enclosure', will often be experienced by occupants of a property. This can relate to both the public and private domain, and to buildings as well as gardens, balconies and terraces.** There may be a point where a ~~P~~roposal~~s~~ for development would **can sometimes** result in an increase in enclosure so that it becomes an unacceptable burden on the occupiers of **neighbouring buildings.** adjacent property. **An extension on a site boundary, for example, could cause a cliff-like effect on a neighbouring property. It is necessary to balance the needs of occupants relating to their existing provision of outside space, against the effect this may have on neighbouring buildings and spaces.**
- 34.3.41** ~~34.3.50 cont.~~ This could occur where the amount of adjoining habitable accommodation is limited, or situated within the lower floors of buildings with openings on to lightwells. Mathematical calculation to assess daylighting and sunlighting may be an inappropriate measure in these situations; on site judgment will be the best starting point for assessment. **Likewise the impact on the sense of garden openness when viewed from properties around, is dependent on on-site judgment.**
- 34.3.42** **Many residents of the Borough live in flats with living space at upper levels. Assessing impacts on living conditions on upper floors can therefore be just as important in this Borough as ground level assessments.**
- 34.3.43** ~~34.3.51~~ The level and type of activity generated by the development can ~~impact on~~ **affect** the conditions of building users, such as **through** increased traffic, parking, noise, odours and vibrations in addition to impacts created by the development's physical structure which can have microclimatic effects. ~~Therefore, t~~he anticipated level of activity as well as the effects on the local microclimate should be ~~carefully~~ taken into consideration to ensure that a high level of amenity is maintained.

Policy CL 5

Amenity **Living Conditions**

The Council will require **all development** new buildings, extensions and modifications and small-scale alterations and additions, to achieve standards of amenity. **ensure good living conditions for occupants of new, existing and neighbouring buildings.**

To deliver this the Council will:

- a. **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.**
- b. a. — require good daylight and sunlight amenity for **new** buildings, gardens, **terraces and balconies** and amenity spaces, and 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;

Policy CL 5 Amenity Living Conditions cont.

- c. require that there is reasonable visual privacy for occupants of new development and, as the result of new development, no significant increase in overlooking of, or disturbance to, neighbouring properties, gardens, terraces or balconies; nearby buildings;
- d. ~~e.~~ require that there is no harmful increase in the sense of enclosure to existing buildings and spaces neighbouring gardens, balconies and terraces;
- e. require that development does not harm the prospect from the upper floors of nearby properties;
- f. require gardens, balconies or terraces to be of a size that is proportionate to the size of the house or flat;
- g. ~~d.~~ 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.

Small-scale Alterations and Additions

- 34.3.44** ~~Move from 34.3.54~~ There is great pressure for the adaptation of the buildings s in the Borough stock. Each year the Borough Council receives, on average, over 2,100 planning applications and 600 applications for listed building consent, with 85% of applications for sites within our conservation areas⁸. The vast majority of planning applications are from householders seeking to alter or extend their properties.
- 34.3.45** ~~34.3.52~~ Small-scale alterations and additions ~~are often necessary to modernise, adapt and extend the life of a building.~~ Such works include removing physical barriers to access, balustrades, alarms, cameras, grilles, shutters and other security equipment; servicing, plant and telecommunications equipment; railings and forecourt parking; signs which that are not advertisements, flagpoles and balconies and terraces. Such works are often necessary to modernise, adapt and extend the life of a building.
- 34.3.46** ~~34.3.53~~ Small-scale alterations and additions are considered to comprise minor external changes to the appearance of a building or its curtilage, servicing equipment, plant and telecommunication apparatus. Although small alterations and additions may have a negligible impact, if unsympathetically carried out they may individually ~~spell~~ harm the appearance of a building or its curtilage, ~~being detrimental to the townscape or amenity of an area.~~ It is the cumulative effect of these small-scale alterations and additions which can negatively impact on the Borough's overall high quality townscape. ~~or amenity of an area.~~ Their control is, therefore, a matter of strategic importance.
- 34.3.47** ~~34.3.55~~ A high proportion of the Borough's dwellings are flats⁹. Whilst dwellinghouses have permitted development rights, buildings such as mansion blocks, ~~which are often in multiple ownership, do not have such rights.~~ The Council receives a high number of planning applications affecting these types of properties. ~~An inconsistent approach to alterations and additions across the building must be avoided, especially as the residential units are in close proximity to each other.~~ can ensure that the visual coherence of the building is maintained.

⁸ 2004/5 to 2008/9

⁹ RBKC Housing Needs Assessment 2009

Policy CL6 Small-scale Alterations and Additions

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

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

- a. harms the character or appearance of the existing building, its setting or townscape;
- b. results in a cumulative effect which would be detrimental to the character and appearance of the area;
- c. are **is** not of high quality form, detailed design and materials **or discreetly located;**
- d. 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;
- e. require telecommunication, plant, micro-generation and other mechanical equipment to be sited discretely so that visual amenity is not impaired.

Existing Buildings – Roof Alterations/Additional Storeys

34.3.48 UDP 4.4.2 Additional storeys and roof level alterations will very often have an adverse effect on the character and appearance of buildings. **They may change the character of the street, the skyline as seen from neighbouring houses and streets, and daylighting and sunlighting to neighbouring houses.** ~~on and the skyline and may conflict with policies relating to car parking. Such proposals will, therefore, be judged in relation to: (a) their effect upon the character of the street or terrace, the skyline as seen from neighbouring houses and streets, and daylighting and sunlighting to neighbouring houses and gardens; and (b) the design relationship of any additional storey to the building. The Council's policies on additional storeys and roof level alterations are generally restrictive and CD44 indicates those circumstances in which planning permission will be refused. CD45 gives the limited circumstances in which permission may be granted. Policies CD44 and CD45 should therefore be read as a pair.~~

34.3.49 ~~34.3.19~~ ~~As the majority of the Borough's built development is of modest height, extensions and modifications at roof level can alter the townscape character. **Proposals,** therefore, extensions and modifications need to **must** be assessed carefully and ensure they do not individually or cumulatively dominate the original building **or surrounding townscape.**~~

34.3.50 UDP 4.4.3 Terraces that change their architectural style, character or height but are joined are considered as separate terraces. Roof extensions on one are not regarded as precedents for the adjoining terrace.

Policy CL 8

Existing Buildings – Roof Alterations/Additional Storeys

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

To deliver this the Council will:

- a. ~~CD45~~ 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; ~~and b) the alterations are architecturally sympathetic to the age and character of the building and would not harm its appearance.~~

- b. ~~CD44~~ resist additional storeys, and roof level alterations on:
 - i. ~~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;
 - ii. ~~b)~~ buildings or terraces that already have an additional storey or mansard;
 - iii. ~~c)~~ buildings that include a roof structure or form of historic or architectural interest;
 - iv. ~~d)~~ buildings which are higher than surrounding neighbours;
 - v. ~~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;
 - vi. ~~f)~~ buildings which, by the nature of the roof construction and architectural style are unsuitable for roof additions, e.g. pitched roofs with eaves;
 - vii. ~~g)~~ mansion blocks of flats where an additional storey would add significantly to the bulk or unbalance the architectural composition;
 - viii. ~~h)~~ terraces which 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;~~

Existing Buildings – Extensions and Modifications

34.3.51 ~~34.3.18~~ The combination of the Borough's high land values, high residential densities, modest building heights and the expanse of the conservation areas, ~~have~~ **has** resulted in pressures for residential extensions and modifications, including conservatories.

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

34.3.53 ~~UDP 4.4.8~~ Buildings in the Borough are frequently difficult to extend without offending the light, privacy and outlook of adjoining buildings. The rear and sides of some buildings may also be distinguished architecturally. Where, for example, they overlook communal gardens, these elevations may be of as much importance as the front. Whilst these elevations of buildings are generally subordinate to the front, they often have a simple dignity and harmony which makes them attractive.

34.3.54 ~~UDP 4.4.11~~ Many streets in the Borough are characterised by the presence of mature rear gardens. This greenery softens the dense urban scene and provides relief and visual interest when viewed from the street through gaps between buildings or when a corner building has an open return frontage. A similar pleasant contrast may occur by a view of the sky or rear elevations of nearby properties. Gaps are often a planned feature of the layout of a Victorian estate. Side extensions may have an unfortunate effect **in closing an unintentional or unintentional townscape gap, or** in unbalancing an otherwise symmetrical elevation of a terrace, detached or semi-detached property. Appraisals of Conservation Areas Proposals Statements will, where appropriate, identify important gaps and vistas where infilling would be inappropriate. The policy below also applies to free-standing buildings in gaps.

~~**34.3.20** Over the last five years, there has been a 70% increase in applications for subterranean developments, with over 200 planning applications submitted in 2008. Subterranean developments involve more challenging planning, environmental, engineering and construction issues than other conventional extensions. Given the high concentration of historic environments and assets within the Borough, controlling the impact of proposals for subterranean development is considered to be of strategic importance. Subterranean development may have minimal structural impact on the existing or adjoining buildings as long as they are designed and constructed with great care. The Council requires Construction Method Statements, signed by a Chartered Engineer or a Chartered Structural Engineer, to be submitted with all planning applications for subterranean development. These statements must set out clearly the potential impact, including cumulative impact, of the development on the existing, neighbouring or surrounding buildings, and the measures taken to mitigate these impacts having specific regard to ground conditions. Apart from the structural considerations, there is a particular concern regarding the impact of subterranean development on the special architectural or historic interest of listed buildings. In addition, to ensure subterranean developments do not add to the impermeable surfacing of the Borough, Sustainable Urban Drainage Systems (SUDs) or other measures will be required. This also allows the green nature of the Borough to be maintained.~~

34.3.55 ~~**34.3.21**~~ Conservatories are a popular form of residential extension within the Royal Borough. They are principally garden features and therefore they should be located with this principle in mind. It is important that they fit in with the historic character of the Borough and therefore their location in relation to the building and garden, their impact on neighbouring properties, their size and detailed design will be carefully considered.

34.3.56 34.3.22 Some modifications to buildings have the potential to cause harm, especially if they are not sensitive to the original character of the building or their cumulative impact detracts from the external appearance of the building. ~~However~~ **Conversely**, if handled in a careful and sympathetic manner they have the potential to result in an improvement to the quality and character of the building. Such details may include changes to windows or glazing patterns; projecting mouldings; chimneys and other architectural details; front walls; railings; the replacement of panelled entrance doors; the repair or replacement of stucco; the permanent removal of projected mouldings and the rendering or painting of a brick-faced building.

Policy CL9

Extensions and modifications

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.

To deliver this the Council will **resist proposals for extensions, including side extensions or conservatories if:**

- a. ~~GD47a the extension would extend rearward beyond the existing general rear building line of any neighbouring extensions;~~
~~CD47b the extension would significantly reduce garden space of amenity value, or spoil the sense of garden openness when viewed from properties around;~~
- b. ~~GD47c the extension would rise above the general height of neighbouring and nearby extensions, or rise to or above the original main eaves or parapet;~~
~~CD47d the extension would not be visually subordinate to the parent building;~~
~~CD47e on the site boundary, the extension would cause an undue cliff-like effect or sense of enclosure to neighbouring property;~~
- c. ~~GD47f the extension would spoil or disrupt the even rhythm of rear additions. Full width extensions will not usually be allowed;~~
~~CD47g 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);~~
~~CD47h there would be a significant increase in overlooking of neighbouring properties or gardens;~~
- d. ~~GD47i 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)~~
- e. ~~GD47j the extension would breach the established front building line;~~
- f. ~~GD47k an important or historic gap or view would be blocked or diminished;~~
- g. ~~GD47k the architectural symmetry of a building, terrace or group of buildings would be impaired;~~
- h. ~~GD49b the original architectural features on a formal flank elevation would be obscured;~~
- i. ~~GD49c access to the rear of the property or of those adjoining would be lost or reduced.~~
- j. **CD48 a conservatory is proposed to be located at roof level, significantly above garden level or on a corner site;**

Shopfronts

- 34.3.57** 34.3.34 Shopfronts¹⁰ within the Borough play a key part in establishing and defining the visual character of our high streets and shopping parades. The Borough has many fine examples of shopfront design ranging from the mid-19th Century through to today. While the careful restoration of some of these early examples is important for maintaining our highly valued built heritage, particular emphasis is placed on ensuring high standards of design for all shopfronts, be they of traditional, modern or contemporary style and to ensure they are inclusive for all.
- 34.3.58** ~~UDP 4.6.4~~ In old buildings, the original fascia and pilasters or columns which form the frame of the shopfront **can contribute to the character of the building**. ~~should be retained or reinstated as appropriate.~~
- 34.3.59** ~~UDP 4.6.5~~ Modern shopfronts are often temporary street features adapting constantly to changing retail demands. It is important that transient retail fashions do not disrupt the character of a building to achieve short-term requirements. House styles may have to be adapted to fit in with the age and character of the building in which the shopfront is situated.
- 34.3.60** ~~UDP 4.6.7~~ Open shopfronts can break up the continuity of a street frontage and leave an undesirable gaps in a shopping parade. The creation of an open shopfront affects the form of the space between the buildings. The facades present an envelope which defines the space and its character; the sudden appearance of a large opening within the envelope leaves a gap in the shopping parade, so that the space itself is altered. The facade above is also left visually unsupported, the vertical elements resting uncomfortably on a void.
- 34.3.61** ~~UDP 4.6.9~~ The under-use of the upper floors of retail premises is of concern to the Council, particularly where the lawful use is for residential purposes. Often the lack of separate access prevents the use of upper floors, **thus it is important** The policy below aims to prevent the removal of separate access and to seek its reinstatement where possible. ~~Exceptions may be made only where adequate alternative means of separate access is provided or where justified for security reasons.~~
- 34.3.62** ~~UDP 4.6.14~~ ~~The Council considers that~~ It is important to control blinds **and** awnings and flags because, if poorly designed or over-prominent, they can detract from the appearance of buildings and be obtrusive features in the street scene.

Policy CL10

Shopfronts

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

To deliver this the Council will:

¹⁰ shopfronts refer to ground floor entrances of class A uses and other commercial and non-commercial uses typically found within town centres and shopping parades

CL10 Shopfronts cont.

- a. ~~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, pilasters, ~~and stallrisers,~~ **awnings and blinds**;
- b. ~~e.~~—require new, and alterations to existing shopfronts, to:
 - i. respect the building's original framework;
 - ii. have a positive visual impact on the appearance of the building or streetscene;
 - iii. respect the character of the building in relation to siting and design of awnings and blinds;
 - iv. be inclusive for all;
 - v. provide independent access to **existing** upper floor accommodation.
- c. ~~CD72~~ require, where shop units are combined, new shopfronts and signage to be installed within the original surrounds and not to obscure them.
- d. ~~CD74~~ 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.~~
- e. resist open shopfronts.
- f. **resist external security shutters that have a solid appearance.**

Views

- 34.3.63** ~~34.3.10~~ The quality and character of an area is not only provided by the individual buildings but it is also gained from views into and out of the area. When considering development that **will** impacts on views, vistas and gaps, it is important to respect the local context. ~~The Borough has one designated strategic view which is that of St Paul's as seen from King Henry's mound in Richmond Park.~~
- 34.3.64** ~~UDP 4.5.9~~ The Borough contains some of the best examples of Victorian and Edwardian townscape in London. Overall, the residential environment is of the highest quality. This environmental quality is evident not only in the public realm, but also at the rear and sides of properties, particularly, around areas of private gardens. **The presence of mature rear gardens and greenery softens the dense urban scene and provides relief and visual interest when viewed from the street through gaps between buildings or when a corner building has an open return frontage. A similar pleasant contrast may occur by a view of the sky or rear elevations of nearby properties.**
- 34.3.65** ~~UDP 4.5.9 cont.~~ Residents' appreciation and enjoyment of **the Borough as a whole and in particular** derives from both public viewpoints and views from within their dwellings. ~~In applying these policies, the Council will consider Not only the street scene, but views from other buildings and gardens, as these are also important to residents' **living conditions**, amenities. In particular, careful regard will be had to the content **appraisals** of conservation areas ~~Proposals Statements.~~~~
- 34.3.66** **As well as appraising proposals and how they will affect views generally within the townscape, including in and around conservation areas, the Borough has a number of specifically recognised views that are important to protect. These are set out in the Views and Building Heights SPD.**

34.3.67 ~~UDP 4.2.22~~ Strategic Guidance requires the Council to protect and enhance the designated strategic view of St. Paul's seen from King Henry's Mound in Richmond Park. Protection and enhancement will be achieved by height limitations within the defined areas between view points. The protected field of view is shown on the Proposals Map. ~~and further details may be found in Strategic Guidance for London Planning Authorities (RPG3), Annex A of Supplementary Guidance for London on the Protection of Strategic Views and the Secretary of State's Direction dated 22nd May 1992. (See also policy STRAT 12).~~

Policy CL11

Views

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

To deliver this the Council will:

- a. CL1(e). resist development which interrupts, disrupts or detracts from strategic and local vistas, views, and gaps **and the skyline.**
- b. **require developments whose visual impacts extend beyond that of the immediate street, to demonstrate how views are protected and enhanced;**
- c. require, within conservation areas, development to preserve or enhance views
 - i. identified in the Council's **conservation area appraisals** ~~Statements,~~
 - ii. generally within, into, and out of conservation areas, **including of the rear of properties;**
 - iii. that affect their setting, including of and from development on sites adjacent to conservation areas.
- d. **require development to respect the setting of a landmark, taking care not to create intrusive elements in its foreground, middle ground or background.**

High Buildings Building Heights

34.3.68 ~~34.3.23~~ The relatively modest and consistent height of building within Kensington and Chelsea reflects the primarily residential character of the Borough. High residential densities are delivered ~~within this townscape without recourse to tall buildings, and t~~**I**his pattern of development with its low to medium-rise, high-density residential areas, has produced a very attractive townscape, and is central to the Borough's charm. ~~The Borough has comparatively few tall buildings, the tallest being Trellick Tower at 98m. Tall buildings are therefore very much the exception. Building height is thus a critical issue and a very sensitive feature of the townscape. It is important that the Council carefully manages the height of new development that may otherwise erode the Borough's distinctive townscape character.~~

34.3.69 ~~34.3.23 cont.~~ The Borough has comparatively few tall buildings, **Tall buildings are very much the exception;** the tallest being Trellick Tower **is the tallest** at 98m. ~~Tall buildings are therefore very much the exception. Building height is thus a critical issue and a very sensitive feature of the townscape. It is important that the Council carefully manages the~~

height of new development that may otherwise erode the Borough's distinctive townscape character.

- 34.3.70** New buildings can strengthen the traditional townscape, both through individual buildings carefully designed to respect their immediate context and through larger developments, which can seek to introduce new legible environments consistent with the Borough's character. (See Policy CR2 Three-dimensional Street Form).
- 34.3.71** Where new larger developments are proposed some variation in roofscape and height can provide visual interest to the streetscape and avoid overbearing and bulky building forms. This could mean differentiation in roof forms and roof lines within parameters based on the prevailing building height, to break up large blocks and reflect the predominantly domestic scale of the Borough.
- 34.3.72** ~~34.3.24~~ High **Tall** buildings have a greater impact on their environment than other building types, posing problems of microclimate, overshadowing and overlooking. This is especially harmful to residential environments and amenity spaces, and needs to be avoided through careful siting and design (see Policy CL5).
- 34.3.73** ~~34.3.25~~ High **Tall** buildings in the wrong location can be visually disruptive. For example, ~~they can harm the character and appearance of a conservation area, the setting of a listed building, or the visual amenity of important open space; or~~ **and** they can interrupt views, such as the strategic view from King Henry VIII's Mound (Richmond) to St. Paul's Cathedral, or those identified within the Council's Conservation Area Proposal Statements or other adopted documents. ~~(see Policies CL1, CL3-4 and CR5). One approach to determining the appropriate location of high buildings would be to identify where they are inappropriate. However, such an approach risks inferring that they are therefore appropriate everywhere else, which is mistaken.~~
- 34.3.74** ~~34.3.26~~ It is not enough to ensure that their location avoids causing harm; **tall buildings** ~~They~~ should also make a positive intervention in the existing townscape. This is not just a matter of design quality, but also of contributing to townscape legibility. Buildings that rise above the prevailing building height are successful where, depending on their impact, they give meaning to the local or Borough townscape, highlighting locations or activities of public importance.
- 34.3.75** ~~34.3.27~~ Local landmarks are occasional features in the Borough which **that** define points of townscape interest or public functions ~~that are~~ relevant to those living or working within the immediate areas. ~~A~~ local landmarks ~~do~~ **does not have to distinguish itself by its height** not necessarily rise above the prevailing building height, for example, the Michelin Building at Brompton Cross. ~~but w~~ **Where** they do, they will tend not to be more than 1½ **one and a half times higher than the surrounding buildings** in height above their context, and remain compatible with their context. Regardless of ~~their~~ location, they **local landmarks** should always be of very high design quality and occasional features if they are to retain their meaning.
- 34.3.76** ~~34.3.28~~ District landmarks, on the other hand, are visible over **a** wider areas and tend to highlight major public functions. They can rise to up to **four** times **higher than the**

~~surrounding buildings~~ their context in height. They are not characteristic of the Borough, being ~~exceptionally rare~~ very occasional ~~in the Borough's townscape~~ features in a Borough of predominantly low to medium rise development. Because ~~district landmarks are visible over a much wider area~~ ~~of their visibility~~, their location and use ~~of district landmarks~~ must be of significant ~~use~~ to the Borough as a whole; and inevitably, they will remain very occasional features. Their location and relationship to the local townscape are of the utmost importance.

- 34.3.77** ~~34.3.29~~ Care is needed to ensure that their visibility is assessed contextually to ensure that they ~~proposals that exceed the prevailing building height~~ have a positive visual impact and do not appear incongruous within their surroundings. A computer generated zone of visual influence that includes an accurate model of the relevant context is an essential tool in assessing the visual impact of ~~these~~ landmarks.
- 34.3.78** ~~34.3.30~~ On sites where there may be scope for a ~~district landmark~~ ~~taller building~~, a design-led approach is essential. In such cases the Council will promote close working with the stakeholders and, where appropriate, with strategic and neighbouring authorities in the production of an urban design framework that will guide the siting and appropriate height of the buildings ~~(s)~~, particularly in relation to existing views and to ensure a wholly positive benefit to the townscape.
- 34.3.79** ~~34.3.31~~ Height is not the only factor which is important when assessing high ~~tall~~ buildings. District landmarks should be of an exceptional quality of architecture, sustainability and urban design. Successful tall buildings possess an architecture that is convincing and highly attractive, especially when viewed in the round, and that makes for a distinguished landmark on the skyline. This requires the skilful handling of scale, height, massing, silhouette, crown and facing materials and the careful incorporation of building services and telecommunications equipment. The profile and proportion of the building, especially the part which ~~that~~ sits above the prevailing building height, is also a sensitive feature. Bulky tall buildings are not attractive to look at and disfigure the skyline; slender ones are more successful.
- 34.3.80** ~~34.3.32~~ Design quality applies equally to the top, where the impact is on the skyline, as to the base. At lower levels it is not only the impact on the streetscape and local views, but also how the building functionally relates to the street. Successful high ~~tall~~ buildings are those that create meaningful public realm, interacting positively with the surrounding buildings and spaces. ~~It~~ ~~This~~ includes contributions to permeability and connectivity, defining edges that reinforce existing building lines and give a coherent form to open space, and providing active ground floor frontages and a stimulating and inclusive public realm (see Policies CR1 and CR2).
- 34.3.81** ~~34.3.33~~ Very tall buildings, more than ~~four~~ times the height of their context, characterise central metropolitan areas and are thus inappropriate to this Borough.

Policy CL12
Building Heights

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

To deliver this the Council will:

- a. **require proposals to strengthen our traditional townscape in terms of building heights and roofscape by requiring developments to:**
 - i. **reflect the prevailing building heights within the context**
 - ii. **provide – within the prevailing building height – a varied roofscape in larger developments**
 - iii. **use height to express local landmarks seldom so the prevailing building height is maintained.**
- 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.**
- c. **to require full planning applications for any building that exceeds the prevailing building height within the context**