

## Conservation Policy Review Workshop

### Notes on Draft Policy

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#### Key Information

Audience: Residents, local amenity societies, residents' associations, Councillors, built environment professionals

Attendees: 25 participants, 6 council officers

Format: Workshop, discussion

#### Workshop Overview

As part of the review of the Core Strategy, existing Unitary Development Plan (UDP) policies are being 'rolled forward' into the Core Strategy. The proposed changes to conservation and design policy relate to the *Renewing the Legacy* and *An Engaging Public Realm* chapters of the Core Strategy. They do not make any significant policy alterations, but look to synthesise and update our existing policies. As part of this process we held a workshop to understand residents' views on where our current policies are lacking and might be improved.

**Group Review** – After an introduction on the various changes to the conservation and design policy, attendees reviewed the Council's draft policies. Attendees were divided into groups of five or six, each facilitated by a council officer. Discussion was structured around fourteen topics – as defined by the policy titles. Each group selected two primary topics for discussion, with the opportunity to make additional comments about other policies of interest.

This report sets out the comments as recorded by each table facilitator. Participants were invited to send in additional comments by 31st January, which will be logged and responded to as individual consultation responses.

#### Workshop Comments

##### Chapter 33 - An Engaging Public Realm

Policy CR4 Streetscape	
Paragraph Number/ Policy Number (where applicable)	Comments
	The Council will not only require improvements, but will be responsive to context.
CR4a	The Streetscape Guidance has no status – not fit for purpose – it needs to be properly adopted.
CR4d	require that the <u>installation of new street furniture, where there is an exceptional need to be...</u>
CR4e	We are under lots of pressure to put up advertisements, can we be stronger on advertising in planning policy? Can we say something more than "does not adversely affect"?
34.3.30	Add post boxes, historic telephone kiosks, statues, historic materials such as pavements, lamp posts.
	This does not mention traffic management which is an important part of streetscape and how it can be improved. Traffic management is part of planning, there is no point in having this policy if traffic is not subservient.
	Can we be more specific in the Core Strategy about other policy documents that need to be read alongside? (Art 4s, CAPS etc)
	There are no specific policies for streets, always for specific buildings. Is this

	something that can be dealt with through CAPS?
	There is a new trend for alterations in boundary treatments – people raising boundary walls, adding railings, paving over front gardens, bicycle stores etc – as they become more security conscious. Can we do anything stronger to prevent this?
	Do not remove 'amenity' from everything. The social community impact and how people use and enjoy the place is very important.

### Policy CR5 Parks, Gardens, Open Spaces and Waterways

Paragraph Number/ Policy Number (where applicable)	Comments
CR5d	Needs to be 'walking distance' not 'radius'.
CR5e	Delete 'expected child occupancy'
CR5g	Why is Royal Hospital given special status – what about other open spaces in the Borough?
CR5g	Why has the criteria in the previous adopted criteria (g) been removed? It is still relevant.
	The criteria relating to the temporary use of open spaces has been lost – it needs to be reinstated.
	Is there anything we can do to protect development at the back of houses looking over communal gardens?
	Would you add something on the benefits of garden squares given that these are specific to the character of Kensington and Chelsea e.g. the Council would be minded to support development of garden squares. Chelsea Barracks precedent.
	Could you add something to lift the quality of boat development at Chelsea Harbour – less like caravans and more 'marine', to improve the look and design in keeping with the context / character of the area?

### Policy CR6 Trees and Landscaping

Paragraph Number/ Policy Number (where applicable)	Comments
CR6c	Remove 'where practicable' – define replacement tree in terms of size, amenity value and require sufficient space to grow
	Existing policy is not strong enough to resist the loss of exceptional trees such as those outside the Odeon Cinema on Kensington High Street.
CR6e	with regard to landscapes the issue of hard surfaces and permeability should be dealt with
	With regard to street trees it should be mentioned in the reasoned justification that where there is a continuity of architecture there should be a continuity of street trees.
	Concern about "where a tree is causing significant damage to adjacent structures". Insurance companies should not be requiring trees to be removed. How is significant damage identified? Insurance companies should not be the sole arbiters. Who decides what is 'good arboricultural practice'?
	Needs to take account of shrubs as well as trees.

**Chapter 34 - Renewing the Legacy**

<b>Policy CL1 Context and Character</b>	
<b>Paragraph Number/ Policy Number (where applicable)</b>	<b>Comments</b>
	In the strategic policy replace 'available' and 'improve' with 'drive up' standards
34.2.2 and 34.3.2	'Drive up' is referred to in para 34.2.2 but should also be in 34.3.2
34.3.2	Deleted sentence should be reinstated and go to the end of the paragraph
34.3.5	Instead of 'or 'add 'and' to sentence so it reads: "We have a duty to have regard to...preserving or enhancing the character <u>and</u> appearance."
34.3.6	Physical size is not the only determinant in context – there are others – see English Heritage guidance on Heritage Assets.
34.3.9	Open space should also not be compromised and this should be mentioned
34.3.12 and 34.3.13	Mews and artists studios are not the only built feature of the Borough which should be mentioned – mansion blocks should also be included and roofscape alterations.
CL1h	To this end Policy CL1(h) should include mansion blocks as well as mews.
CL1a	The term 'historic fabric' does not make sense where it is used. Better to move this so that it reads "...contribute positively to the context of the townscape and the historic fabric..."
CL1c	What does 'appropriate' actually mean? Reinstate 'optimised relative to context'.
CL1e	Doesn't really say much. May be better if merged with CL1d (although keep it as two separate points referring to both waterside development in general and the Thames Policy Area). Unpack to define the 'strategic importance' ie. is it commercial, leisure etc? Protect and enhance the character of the Thames – address /engage with/make use of the waterfront, maintain access to the Thames.
CL1g	Use 'linked' instead of 'integrated' – less ambiguous. This sounds like two separate points (pedestrian and vehicle access and scale and massing). Confused why it specifies backland sites. The point has become more confusing with the newly added text – it was clearer before.
CL1g	Replace 'not to negatively impact' with 'enhance'
CL1h	The term 'inappropriate' sounds too subjective.
CL1i	The term 'inappropriate' sounds too subjective. Do want to preserve artists' studios.

<b>Policy CL2 Design Quality</b>	
<b>Paragraph Number/ Policy Number (where applicable)</b>	<b>Comments</b>
34.3.14	What does 'this should be to a high quality, with very high quality expected within conservation areas' actually mean? Who decides? What criteria is used to judge?
34.3.15	Who decides what is attractive?
34.3.19	Should also reference Victorian mansion blocks
34.3.19	Concern that this is a way of allowing Newcombe House to change to residential.
CL2a	Concern over plant/ACUs. This should be included somewhere in policy or

	reasoned justification. They need to be considered as unsustainable. More references to natural ventilation.
CL2c	Eyesore principle needs reviewing. Having only two buildings is pointless.
CL2c	"Flexible approach" is too ambiguous.
	There are more than just two eyesores. Either open this up and use those two as examples or better still just avoid using any examples and leave it up to the applicant to prove / justify the eyesore.

### Policy CL3 Heritage Assets – Conservation Areas and Historic Spaces

Paragraph Number/ Policy Number (where applicable)	Comments
34.3.26	It is not just about building collapse, but letting buildings deteriorate
34.3.27 and 34.3.29	Repetition between paragraphs
CL3c	Query whether the word 'substantial' is required in relation to demolition
CL3d	There is repetition in the policy
	Somewhere in the text need a hook for the provision of local listing
	Nowhere is there a definition of 'positive contribution.' This could tie in with a reference to local listing.

### Policy CL4 Heritage Assets

Paragraph Number/ Policy Number (where applicable)	Comments
34.3.31	Refer to 'basement development'
CL4 chapeau	The first sentence isn't grammatically correct but it looks like an error carried forward in the tracked changes.
CL4a	Seems like a repetition of the first sentence but may be required to clarify the point.
CL4c	The term plan form could do with further / better explanation in the preceding text to clarify what it refers to.
CL4d	Danger of encouraging pastiche by having a blanket rule asking people to reinstate missing features. Require may be too strong a word for i) but ok for ii). Could use 'encourage'. Could specify that it relates to moderate details – rather than expecting a householder to undertake a disproportionately large amount of alteration.
CL4f	Like the term 'strongly encourage'.

### Policy CL5 Living Conditions

Paragraph Number/ Policy Number (where applicable)	Comments
34.3.34	Balconies/terraces not differentiated – perhaps we need to distinguish. Could be helpful to add distinction, flat roof which is accessible for maintenance is different from balcony/terrace etc.
	There can be some grading in terms of outdoor spaces. For example, a roof-top terrace could be less intrusive than space at ground floor level due to proximity of activity.

	Balconies v terraces. Do we differentiate? Or include a hierarchy – first floor, roof top etc.
34.3.35	The paragraph needs rewording - it does not make sense
34.3.38	Delete 'unreasonable'
CL5	Light pollution is becoming an increasing problem, from conservatories and particularly commercial properties. Not specifically addressed here.
CL5c	Does new development in this policy include new use? An example was quoted where a condition limiting use of a terrace for emergency only was lifted to allow leisure use and as a result residents in an adjacent property has to keep their bedroom curtains closed.  Suggested changes: <ul style="list-style-type: none"> <li>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 occupants of neighbouring properties and nearby buildings, and their use of terraces or balconies;</li> </ul>
	The strengthening of CL5 is seen as a good thing.
	Communal gardens also deserve privacy, but there is nothing covering outdoor living spaces overlooking communal gardens. <ul style="list-style-type: none"> <li>A converse view from the table was that, given the space is communal, some overlooking may be ok.</li> </ul>
	Introduce a principle of set-backs for railings on balconies and roof terraces to prevent overlooking. <ul style="list-style-type: none"> <li>All outdoor spaces need a railing to comply with Building Regs so instead of adding railing to the parapet, make the set it back from the edge. 900mm set-back was suggested.</li> </ul>
	Can we condition against storage on balconies?

### Policy CL8 Roof Alterations / Additional Storeys

Paragraph Number/ Policy Number (where applicable)	Comments
	Concern about gardens on roofs particularly trees, trellises and parasols that are intrusive and are not subject to planning permission. The Council should condition against these.
CL8b	The table would like to see additions to part b: <ul style="list-style-type: none"> <li>Resist roof terrace enclosures or terraces, planting, air conditioning plant or furniture which adversely affects the roofline.</li> <li>Where there are a series of unsympathetic roof extensions ensure the design proposed makes a positive contribution to reducing visual chaos</li> </ul>
CL8b(i)	It is too strict not to allow extra mansard storey on unbroken terrace – could be acceptable if all done simultaneously. If coordinated design achievable, could be advantageous to go up rather than down.
	Policy does not distinguish between front/rear slopes – include hierarchy?
	Could introduce series of criteria for roof extensions rather than maps – these could be less likely to become out of date.

<b>Policy CL9 Extensions</b>	
<b>Paragraph Number/ Policy Number (where applicable)</b>	<b>Comments</b>
	Question raised as to how much of this we can and will enforce
34.3.53	Take out the example. It should not just be communal gardens
34.2.54	Needs to reference infill development not just side extensions
34.3.55	Delete all reference to conservatories. Make reference to rear extensions instead. <ul style="list-style-type: none"> <li>• Consensus that there are very few traditional conservatories in the borough. Most are just extensions</li> </ul>
	Do we make reference anywhere to only allowing rear extensions below first floor level? If not, this should be included.
	Need to make more reference to context.
CL9a	Can the extent a structure can project be limited to three metres? Otherwise where there are unfortunate precedents, say 5 metre extensions, this will become the norm
CL9b & CL9g	Not convinced b and g are covered adequately in CL5 there was particular comfort in having the detail particularly the 'sense of garden openness'.
CL9b	Would like to see CD47a and CD 47e retained
CL9j	Could 'significantly above roof level' be changed to 'other than single storey at garden level'?

<b>Policy CL10 Shopfronts</b>	
<b>Paragraph Number/ Policy Number (where applicable)</b>	<b>Comments</b>
34.3.60	Add reference to sustainability. <ul style="list-style-type: none"> <li>• Opening shopfronts leak energy and this should be used as a reason for resisting them in the borough.</li> </ul>
	The policy needs some strategic intent – the reference to 'driving up quality' should go here.
34.3.61	Delete 'and to seek its reinstatement where possible' - this has negative consequences and can be detrimental

<b>Policy CL11 Views</b>	
<b>Paragraph Number/ Policy Number (where applicable)</b>	<b>Comments</b>
	Does not deal with specific views including those in the UDP. Are these all covered in the SPD?

<b>Policy CL12 Building Heights</b>	
<b>Paragraph Number/ Policy Number (where applicable)</b>	<b>Comments</b>
	Should be refusing all tall buildings as their architectural style is never very

	good. <ul style="list-style-type: none"><li>• This point was dismissed by others</li></ul>
	Policy should be articulated to better reflect national policy and seek to optimise the developable land on site and then test against views, context etc <ul style="list-style-type: none"><li>• Some disagreement with this statement in that need should be the first test.</li><li>• Support for dense development in the correct location but that this does not need to be a tall building.</li></ul>

**General Comments**

Need definition of terms e.g. neighbouring – is this immediately adjacent or 2-3 doors along?