

# 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 and finely grained mix of uses 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<sup>03</sup> per cent of the borough. The Royal Borough is known for its legacy of Georgian, Victorian and Edwardian architecture, interspersed with corner shops, pubs, studios and small pockets of mixed uses, 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 Local Plan'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.

#### **CO5 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.

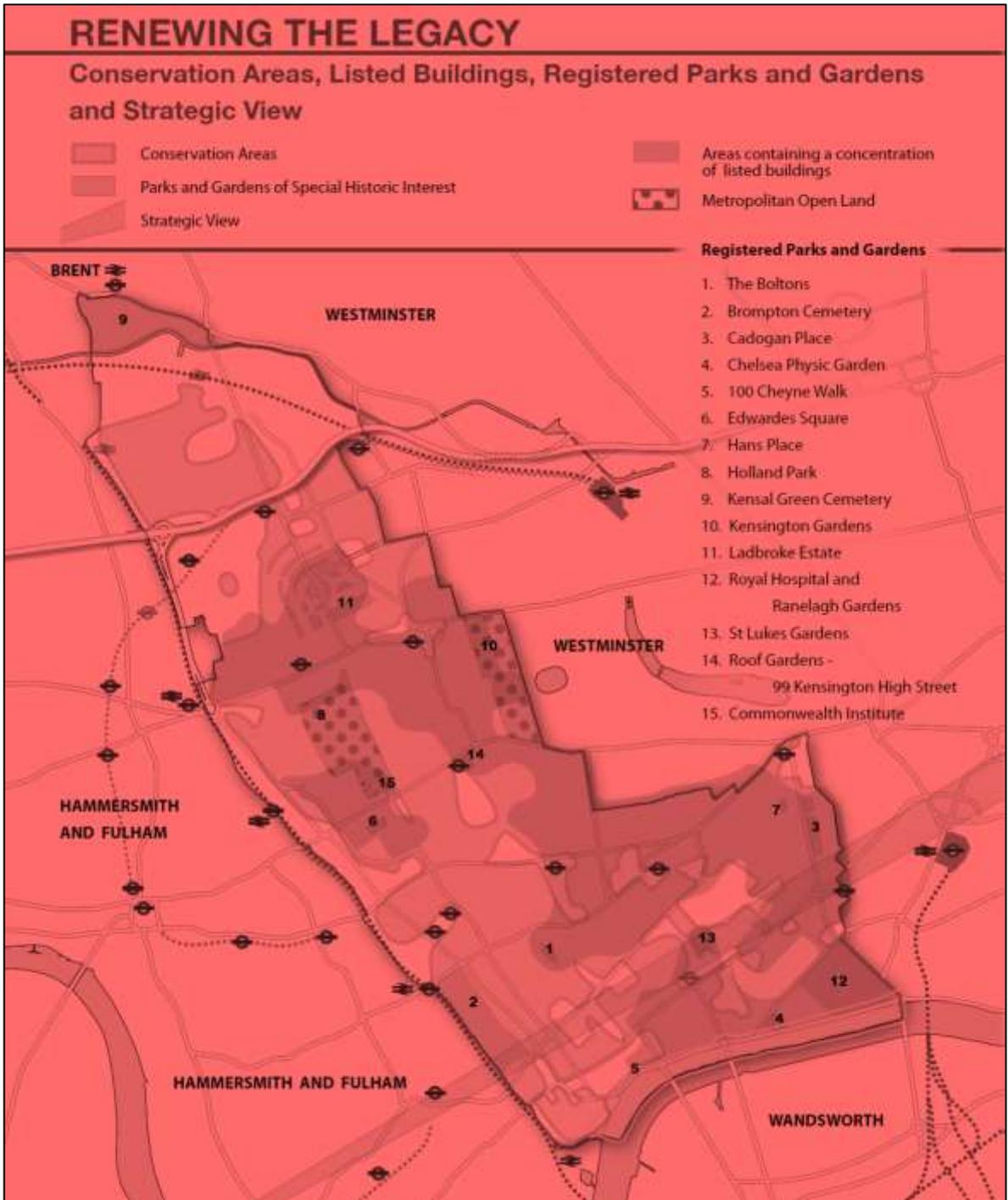
### 34.2 What this means for the borough

- 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. These changes are not only physical. The mixed uses in the borough – as set out in Keeping Life Local and Fostering Vitality – are an integral part of the borough's character. Even small changes of use, that reduce the finely grained mix of uses that are interspersed in our residential areas can be damaging to the quality of the borough.
- 34.2.2A<sup>3</sup> Maintaining and improving the mixed-use and architectural 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<sup>4</sup> 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.

### 34.3 Planning Policies

*No changes are proposed to the existing Local Plan sections and policies on Context and Character (Policy CL1), Design Quality (Policy CL2) and Heritage Assets – Conservation Areas and Historic Spaces (Policy CL3)*

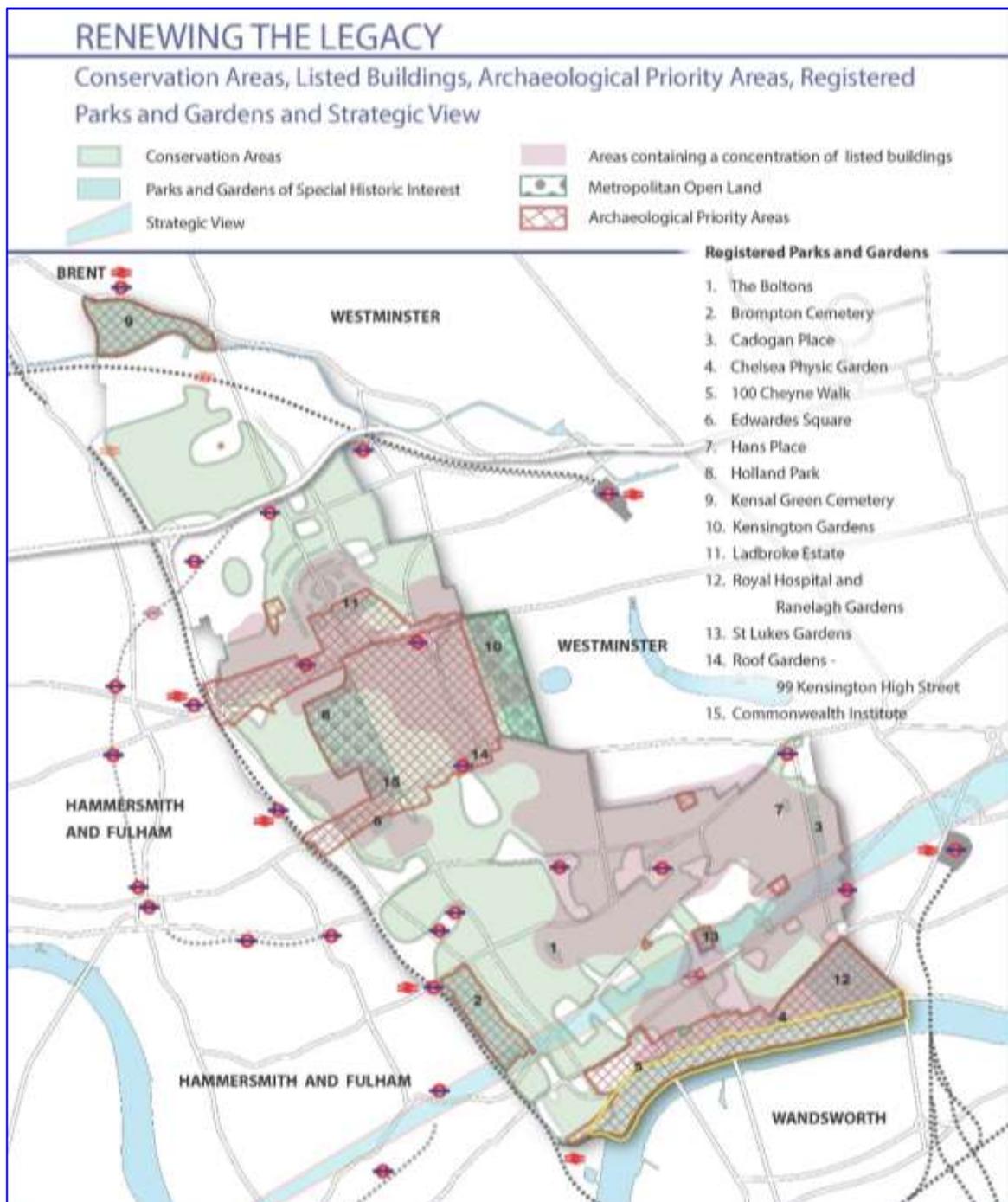


# RENEWING THE LEGACY

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
-  Archaeological Priority Areas





### Heritage Assets – Listed Buildings, Scheduled Ancient Monuments And Archaeology

- 34.3.26 There are about 4,000 listed structures in the borough. In addition to buildings, local historic features such as memorials (particularly war memorials, including those on private land or within buildings), statues, plaques, coal plates, horse and cattle troughs and historic bollards, post boxes and historic telephone boxes are historic assets worthy of protection, whether listed or not. The borough contains two Scheduled Ancient Monuments: the Brick Kiln in Walmer Road and Kensington Palace.
- 34.3.27 Listed buildings and scheduled ancient monuments can be negatively affected not only by inappropriate additions, internal and external alterations, and demolition, but also by

inappropriate use and unsympathetic neighbouring development. Such changes can diminish the architectural and historic value and detract from their setting.

- 34.3.28 The setting of a listed building and the surroundings in which it is experienced can also contribute to its special interest. The extent of relevant setting will be proportionate to the significance of the asset.
- 34.3.29 The special architectural or historic interest of listed buildings goes beyond appearance. It includes the integrity of the building as a whole, the location and hierarchy of rooms, historic floor levels, the structure of the building including foundations, as well as features such as original staircases, original roof structures, later additions, and other features identified as being of significance.
- 34.3.30 When development takes place to listed buildings, it is appropriate to take opportunities to reinstate missing features which are considered important to their special interest or to remove additions or modifications that harm the significance of the building.
- 34.3.31 Listed buildings are best used for their original purpose. Where that original purpose has become obsolete, sensitive adaptation can be possible.
- 34.3.32 The standard of workmanship in carrying out modifications to historic structures is not something that is readily controlled through the planning system. It is, however, of vital importance to the quality of the building, and owners are urged to employ the appropriate specialists.
- 34.3.33 Archaeological remains constitute ~~the principal~~ some of the most important surviving evidence of the borough's past, but are a finite and fragile resource. ~~The destruction, conservation, protection or setting of such remains, must not be threatened by development, should be avoided directly or indirectly, to ensure the borough's past is not lost forever. Such remains (and their settings) should not be harmed, directly or indirectly, without clear justification taking into account the significance of the remains and the need for the development, to ensure the borough's past is not needlessly lost. An Archaeological Priority Area (APA) is a defined area where, according to existing information, there is significant known archaeological interest or particular potential for new discoveries. APAs have been categorised into one of Tiers 1-3 while all other areas within the borough will be regarded as being in Tier 4. Tier levels indicate when there is a need to understand the potential impact of the proposed development on the heritage asset's significance.~~
- 34.3.34 The Borough has two Tier 1 APAs and five Tier 2 APAs which are set out in the Proposals Map. Any major development proposal within these areas must be accompanied by desk based archaeological assessments and where necessary field evaluation. For small developments (those below the threshold of major development) within APAs and major developments outside of APAs (Tier 4) pre-application advice should be sought from GLAAS about the need to undertake a desk based archaeological assessments and where necessary field evaluation. Guidelines on consulting the Greater London Archaeological Advisory Service (GLAAS) are available from Historic England<sup>383</sup>. As a minimum the relevant historic environment Greater London Historic Environment Record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

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<sup>383</sup> <https://historicengland.org.uk/images-books/publications/greater-london-archaeological-priority-area-guidelines/>

**Policy CL4 Heritage Assets - Listed Buildings, Scheduled Ancient Monuments and Archaeology**

The Council will require development to protect the heritage significance of listed buildings, scheduled ancient monuments and ~~sites of a~~Archaeological interest Priority Areas.

To deliver this the Council will:

- a. require all development and any works for alterations or extensions related to listed buildings, scheduled ancient monuments and ~~sites of a~~Archaeological interest Priority Areas, to preserve the heritage significance of the building, monument or site or their setting or any features of special architectural or historic interest;
- b. resist the demolition of listed buildings in whole or in part, or the removal or modification of features of architectural importance, both internal and external;
- c. require the preservation of original architectural features, and later features of interest, both internal and external;
- d. take opportunities to:
  - i. reinstate internal and external features of special architectural or historic significance, commensurate with the extent of proposed development;
  - ii. take opportunities to remove internal and external features that harm the architectural or historic significance of the asset, commensurate with the extent of proposed development;
  - iii. better reveal or reinterpret archaeological remains and discoveries for the local community;
- e. resist the change of use of a listed building that would materially harm its character;
- f. require any work to a listed building to sustain the significance of the heritage asset and as such strongly encourage any works to a listed building to be carried out in a correct, scholarly manner by appropriate specialists;
- g. require desk based assessments and where necessary ~~archaeological~~ field evaluation before development proposals are determined, where for major developments proposed in sites of aArchaeological Priority Areas significance or potential;
- h. require desk based archaeological assessments and where necessary field evaluation for small developments within Archaeological Priority Areas and major developments outside of Archaeological Priority Areas unless pre-application advice has been obtained from the Greater London Archaeological Advisory Service that this is not necessary.

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

Please complete the Response Form at <https://planningconsult.rbkc.gov.uk/consult.ti/LPPRPP/>

*No changes are proposed to the existing Local Plan sections and policies on Living Conditions (Policy CL5), Small-scale Alterations and Additions. (Policy CL6), Basements (Policy CL7), Existing Buildings (Policies CL8 and CL9), Shopfronts (Policy CL10), Views (Policy CL11) and Building Heights (Policy CL12)*

34.3.63 Archaeological remains are a finite and fragile resource. The conservation, and protection ~~or setting~~ of such remains must not be threatened by development, directly or indirectly, to ensure the borough's past is not lost forever. Policy CL4(g) of the Local Plan requires development to protect the setting of ~~sites of a~~Archaeological interest Priority Areas.

## 34.4 Corporate and Partner Actions

### Introduction

- 34.4.1 Delivering the strategic objective of Renewing the Legacy will take more than the planning policies above. A range of activities undertaken across the Council and by our partner organisations will also deliver this objective. This section sets out the main strategies and action plans that have been prepared to play a part in delivering this objective. It then sets out specific actions that will be undertaken to further the objective.

### Corporate or Partnership Strategies that will contribute to the delivery of the Strategic Objective

*English Heritage Historic England: National Buildings Heritage at Risk Strategy Register 1998*

- 34.4.2 ~~The National Buildings at Risk Strategy arose from the success following the survey of all grades of listed buildings in London, when English Heritage first published the annual Register of Buildings at Risk in London in 1991.~~ There is ~~now~~ a combined Heritage at Risk Register that combines Grade I, II and II\* listed buildings at risk, including places of worship, and structural scheduled monuments which are at risk and vulnerable.

*The Royal Borough of Kensington and Chelsea, Renewing the Legacy: 21 Projects for the 21<sup>st</sup> Century 2006*

- 34.4.3 This document outlines a series of Council and partner-led projects that will help keep Kensington and Chelsea to be one of the world's best places to live.

### Corporate or Partnership Actions for Renewing the Legacy

1. The Planning and Borough Development Directorate will continue to run the Architecture Appraisal Panel;
2. The Planning and Borough Development Directorate will work in partnership and consult with design and conservation bodies including English Heritage Historic England and the Design Council;
3. The Planning and Borough Development Directorate will review conservation areas and Article 4 directions as resources allow;
4. The Planning and Borough Development Directorate will continue to reduce the number of buildings and monuments at risk on 'English Heritage Historic England's Heritage at Risk Register' and the borough's own 'Buildings at Risk Register';
5. The Planning and Borough Development Directorate will continue to use Article 4 Directions and Section 215 powers<sup>384</sup>;
6. The Planning and Borough Development Directorate will continue to produce additional and update existing design guides and ~~update Conservation Area Proposal Statements with~~ Conservation Area Appraisals;
7. The Planning and Borough Development Directorate will work in partnership with the Council's Property Services and Housing Department to deliver housing renewal;

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<sup>384</sup> An Article 4 Direction is made and confirmed by the Council and confirmed by in consultation with the Government. It serves to restrict Permitted development rights. ~~2004/5 to 2008/9~~

8. The Planning and Borough Development Directorate will work in partnership with Police Architectural Liaison to ensure that 'Secured by Design' is embedded in all design, including as part of Building Regulations;
9. The Council will encourage architectural competitions to help select architects for developments on major sites, leading to better quality design.