

Chapter 10: Urban Design and Conservation

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INTRODUCTION

- 10.1 The City of Westminster is one of the most important urban areas in the country. With notable exceptions such as Westminster Abbey and St Stephen's Hall, most of the City is post-medieval, although it is planned around ancient thoroughfares and has many archaeological remains. Steady and successive redevelopment since the sixteenth century has created a historic townscape of great complexity that is enriched by the open spaces of the Royal Parks, London squares, the River Thames and the Grand Union and Regent's Canals. Areas such as Pimlico and Regent's Park have remained virtually unchanged since they were first built. Others, such as Mayfair and Soho, have been continuously redeveloped, producing a varied urban grain of great character. The City Council wishes to preserve the historic fabric of Westminster and to encourage new development where appropriate. Its planning policies are designed to balance conservation with modern convenience, and to ensure that new development is of the highest quality and sits happily in its surroundings.
- 10.2 Although the particular characteristics of each site, building and area of the City will need to be carefully considered where development is proposed, this chapter sets out the general principles upon which such development should be based. The application of these principles will recognise the importance of encouraging investment in the physical fabric of the City. The City Council acknowledges the need for some flexibility where it is necessary to breathe new life into older buildings and the importance of sensitive judgements being made to balance the needs of the users of the buildings with the disciplined conservation of the best of the past. For example, most listed buildings are in private ownership and the City Council's policies are intended to encourage both the continued care and maintenance and the useful and efficient functioning of these buildings.
- 10.3 Supplementary guidance, which explains in detail the implications of the City Council's policies for specific areas, building types and kinds of development, is listed in Appendix 10.1 at the end of this chapter. These deal with a large range of subjects including listed buildings, conservation areas, shopfronts, signs, roofs, mews, railings, public art, and plant. Reference is made to the relevant supplementary planning guidance throughout this chapter. The policies of this chapter are arranged in sequence with the fundamental principles of urban design for all developments set out in Section 1. Section 2 provides specific policies for various types of development and this is followed in Section 3 by the policies relating to special designations. These should be read in conjunction with the policies in Section 1. Each policy builds on the previous policies providing increasing definition commensurate with the complexity of the site.
- 10.4 As with the rest of the plan the urban design policies are presented in a criteria-based form that is both clear and concise. If permission is to be

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granted, it is expected that a proposal must satisfy all the relevant criteria set out in each part of the policy, unless otherwise stated within the policy text. The relevant Part I policies are STRA 7, and STRA 25 to STRA 30.

- 10.5 Chapter 9: Environment also sets out important principles for the sustainable design of development and should be read in conjunction with the Urban Design Chapter. Policies of particular relevance are ENV 1: Sustainable and resource-efficient buildings; ENV 2: Environmental appraisal; ENV 4: Planting around and on buildings; ENV 5: Air pollution; ENV 6: Noise pollution; ENV 9: Water quality and conservation; ENV 10: Light pollution; ENV 12 Waste and recycling storage; ENV 13: Protecting amenities, daylight, sunlight and environmental quality; ENV 14: Metropolitan Open Land; ENV 15: Trees and shrub cover; and ENV 16: Nature conservation and biodiversity.

SECTION 1: PRINCIPLES

DES 1: PRINCIPLES OF URBAN DESIGN AND CONSERVATION

Aim

- 10.6 To ensure the highest quality in the form and quality of new development in order to preserve or enhance the townscape of Westminster; to provide adequate access; to reduce crime and improve security.

POLICY DES 1: PRINCIPLES OF URBAN DESIGN AND CONSERVATION

(A) Architectural quality, local distinctiveness and sustainability

Development should:

- 1) be of the highest standards of sustainable and inclusive urban design and architectural quality**
- 2) improve the quality of adjacent spaces around or between buildings, showing careful attention to definition, scale, use and surface treatment**
- 3) use high quality, durable and, where possible, indigenous and recycled materials appropriate to the building and its setting and should respect and, where necessary, maintain:**
- 4) the character, urban grain, scale and hierarchy of existing buildings and**
- 5) the spaces between them**
- 6) the character, scale and pattern of historic squares, streets, lanes, mews and passageways**

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- 7) **the form, character and ecological value of parks, gardens and planned open spaces.**

(B) Amenity, accessibility and community safety

To protect amenity, development should:

- 1) **adopt appropriate design measures**
- 2) **provide for safe and convenient access for all**
- 3) **adopt design measures to reduce the opportunity for crime and anti-social behaviour**
- 4) **where proposed, incorporate appropriately designed and positioned security fixtures on buildings and street furniture so as to minimise the visual impact of these fixtures**
- 5) **maintain a clear distinction between private and public spaces around buildings and ensure the informal surveillance of public space.**

(C) Applications

Development proposals should demonstrate how they have taken into account, by use of detailed drawings and a written statement, the following:

- 1) **architectural quality, local character and distinctiveness**
 - 2) **the location and nature of existing and potential links to and through the site and to amenities beyond the site**
 - 3) **townscape features within the site and features which border the site**
 - 4) **local views through and within the site and landmark features visible in the vicinity of the site**
 - 5) **accessibility, inclusive design and security measures**
 - 6) **regard to the relevant urban design policies contained in this chapter**
 - 7) **regard to supplementary design guidance produced by the City Council**
 - 8) **waste storage and disposal**
 - 9) **sustainable building principles in accordance with policy ENV 1: Sustainable and resource-efficient buildings.**
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Policy application

- 10.7 New development is necessary to adapt the fabric of the City to present and future needs and to ensure the economic well-being of Central London as a whole. New development is encouraged in areas where it is beneficial. However, it must be designed to the highest standard, adopt sustainable design principles to address the issues of energy, water, materials, pollution, waste, amenity, environmental quality and biodiversity; respect the discipline imposed by the existing townscape; preserve or enhance the character and appearance of conservation areas; protect the architectural and historic interest of listed buildings; and preserve the important strategic and local views. Further advice can be found in the City Council's published supplementary planning guidance with respect to the design of new buildings, entitled 'Design Matters in Westminster' (2001). The City Council has also published supplementary planning guidance which advises designers and developers how they can undertake developments and create buildings within Westminster which incorporate sustainable design principles.
- 10.8 Access for all, including people with disabilities is a material consideration. The City Council will expect suitable access to be provided for people with special needs, where it is practicable and reasonable to do so. It is important that applications for changes of use which provide a service for visiting members of the public, for example shops, banks, doctors' surgeries and recreation facilities, including restaurants, pubs and bars, incorporate satisfactory access for people with disabilities.
- 10.9 Applicants are required to demonstrate in a design statement how they have taken into account qualities of local distinctiveness, principles of sustainable design and shown regard for the urban design policies of the UDP and relevant supplementary planning guidance. All relevant sections of the environmental performance statement in Annex 9.1 must be completed. This should be done in a manner that is appropriate to the nature and scale of the development proposals. For example: where townscape features within a site such as buildings, street furniture, public art and trees have an impact on local distinctiveness they should be addressed. Equally, the same features and others which border the site, such as, streets, pavements, squares, parks and open spaces may affect its character and should be addressed. Where relevant, the design statement must be submitted as part of the planning application. This requirement is in accordance with PPS 1: Delivering Sustainable Development, paragraphs 33 to 39, and PPG15: Planning and the Historic Environment.
- 10.10 The City Council is concerned to ensure high standards of security and crime prevention measures: it will consult Police crime prevention design advisors and will bear their comments in mind. Architects are also advised to consult crime prevention police officers at the early design stage. The Council will have regard to 'Safer Places: the Planning System and Crime Prevention', issued by the ODPM and the Home Office in 2003.

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10.11 The City Council's relevant supplementary planning guidance with respect to security matters is set out in 'Designing out Crime in Westminster' (1998), 'Public CCTV Systems: Guidance for Design and Privacy' (1998), and 'A Guide to the Siting of Security Cameras and other Security Equipment' (1995).

Reasons

10.12 Westminster's architectural inheritance is spectacular: every period of London's history has left something of importance here. Westminster has some 11,000 listed buildings and 76% of the City is covered by conservation areas.

10.13 Through implementation of the policies set out in the Unitary Development Plan, the City Council seeks to manage change and safeguard the valuable environment of the city. This chapter sets out the strategy, which is based upon present legislation and guidance which requires the City Council to:

- a) preserve the special architectural and historic interest of its listed buildings
- b) preserve or enhance the character and appearance of its conservation areas
- c) promote and reinforce local distinctiveness
- d) take an integrated and inclusive urban design based approach
- e) require good design in all developments
- f) encourage outstanding contemporary architecture
- g) safeguard strategic views
- h) protect the River Thames and Westminster's canals
- i) safeguard the public realm
- j) safeguard archaeological sites.

10.14 The dynamic evolution of the historic cityscape is achieved through striking a careful balance between historic conservation and contemporary intervention. Preserving the City's character, whilst still allowing it to evolve and develop as a living city, is the Westminster challenge. The City Council's aim is to maintain, protect and enhance the best of what is here already and to promote and encourage the best of what is yet to come.

10.15 This challenge is met through both the retention and rigorous conservation of existing historic buildings and the considered design of new buildings and spaces. The City's architectural heritage can be a living one provided that these new buildings are not created in isolation. This approach ensures the creation of a vital sense of coherence and unity in the local scene. The City Council's policy is not to stifle innovation and invention in new architecture but to ensure that where development is appropriate it is conceived as an integral part of its context.

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- 10.16 A knowledge and understanding of the local context is necessary in order to achieve high quality urban design and successfully integrate new development into the built environment. This requires a thorough understanding of the City's physical form; its morphological and historical development; its uses; its special character; its sense of place; the nature and quality of the public realm itself; the relationship of one part of the city with other parts; and the patterns of movement and activity which are thereby established. This analysis is found in the City Council's conservation area appraisal documents. The policies of this plan are intended to reinforce and enhance the traditional urban pattern of Westminster through the following principles of urban design:
- a) by preserving and creating those features which contribute to local distinctiveness to encourage a carefully fostered continuity between new and old
 - b) by maintaining free movement particularly of pedestrians through the streets of the City
 - c) by preserving and creating features which contribute in a positive way to the urban environment so that it is recognised and understood, including landmarks, building lines, open spaces, views, and key locations of activity
 - d) by ensuring visually interesting and secure streets by the provision of active frontages in appropriate locations, the maintenance of defensible space, and the provision of appropriate uses and design of ground floors to ensure informal surveillance of the public realm.
- 10.17 In Westminster the past provides the setting for much of our daily life, but new buildings are just as vital to the life of the City – they can improve the townscape and meet new needs. The highest standards of design quality are expected in all developments. The City Council encourages the very best of contemporary architecture where such development is appropriate and complies with the various policy objectives set out below.
- 10.18 The careful choice of facing materials is very important. It needs to take into account the quality of the materials, their method of fixing, colour, texture and profile. In all cases durability, water run-off and the ability to withstand weathering as well as their suitability in aesthetic terms must be considered. The City Council is concerned to ensure that developments do not deteriorate in appearance because of inadequate detailing and materials and will favor the use of durable natural materials wherever possible.
- 10.19 The character and interest of the townscape depends on the layout (particularly in the case of planned estates or street patterns) and the scale, architectural quality, detailing and materials of individual buildings. The pattern of streets, lanes, alleys and open spaces is a distinctive element in the City's townscape and many are of historic importance. Their routes, alignments and widths should be retained and respected where appropriate.

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- 10.20 Where new developments are located within an area of historic street layout or pattern of estate development the City Council is concerned that this layout or pattern should be preserved or, where appropriate, extended to an area of new development. The highest standards of architectural design and detailing are necessary to create new areas of townscape character and interest and the City Council expects that the highest standards of design and detailing will be employed in extensive new developments.
- 10.21 The public realm as distinct from the private domain, refers to all the physically and visually accessible space around buildings which form the setting for human interaction. This may include features such as streets, pavements, forecourts, squares, parks, open spaces and building facades. The City Council expects such spaces to be carefully designed, using high quality materials and detailing, which respects and enhances the existing character of areas within the city. Clutter and refuse in these spaces can erode the quality of the public realm. Anti-social activity and crime can destroy amenity for residents and visitors. Therefore, spaces should be carefully designed and managed to limit visual clutter, discourage graffiti and deter anti-social activity and crime. Where appropriate, the Council will seek, through planning obligations, enhancement to, and the management of the public realm that forms the setting for developments. This may include use of forecourts related to Class A3 and A4 uses in existing buildings as well as for spaces around redeveloped sites.
- 10.22 Safety and the perception of safety are important issues when considering the design and layout of development. Good design can minimise the opportunities for crime to occur and help to reduce the fear of crime. Developments should maintain a clear distinction between private and public spaces around buildings in terms of their use and control. The informal surveillance of public space from within buildings is an important concept recognised by 'secured by design' initiatives. Surveillance is maximised when the street facades contain the main habitable rooms and actively used entrances. The more private rooms and private gardens should be placed at the rear of buildings. Large areas of blank walls in street facades should be avoided, as they reduce the potential for surveillance. Where new streets or access ways pass through a site they should be overlooked by development and should not pass next to rear gardens or courtyards. Clear sight lines and good lighting should be provided and recessed areas avoided.
- 10.23 A crime-free environment enhances the quality of life for residents, workers and visitors. It also reduces maintenance costs and encourages investment in the City. However, obtrusive security measures and surveillance equipment must be sensitively designed and installed if they are not to spoil the townscape.

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- 10.24 Westminster attracts millions of visitors every year. Because many of the places they come to visit, such as shops, theatres and museums are unique, people with mobility difficulties should not be prevented from visiting them. Improving access benefits everyone, particularly those with disabilities, elderly people and people with children in buggies.
- 10.25 The issue of inclusivity, access and facilities for people with disabilities should always be considered when alterations are carried out to existing buildings and provision should be made where reasonable and practicable, for example when installing a new shopfront. If access is not provided, then applicants will be expected to demonstrate effectively that access provision has been considered and is neither practicable nor reasonable. Listed buildings and townscape considerations will often require that particular attention is paid to design, but it is usually possible to effect some improvements even where it is difficult in design terms, or impracticable, to provide access for wheelchair users. The City Council's relevant supplementary planning guidance with respect to improving access in the city is set out in 'Access for All' (1995).

SECTION 2: TYPES OF DEVELOPMENT

DES 2: EXTENSIVE DEVELOPMENT

Aim

- 10.26 To ensure the highest quality of extensive new development in order to respect Westminster's townscape and to achieve the highest standards of contemporary design.

POLICY DES 2: EXTENSIVE DEVELOPMENT

Permission will be granted for extensive development which:

- (A) — has sufficient independence of form to allow the creation of new compositions and points of interest**
- (B) — seeks to maximise energy efficiency**
- (C) — is of the highest standards of contemporary architecture**
- (D) — provides new streets, squares and open spaces where appropriate and extend links to maintain a high level of accessibility**
- (E) — relates satisfactorily to the adjacent townscape taking into account its:
 - 1) — scale**
 - 2) — character**
 - 3) — historic street layout**
 - 4) — existing and likely future patterns of traffic and pedestrian movement****

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~~5) — uses~~

~~(F) — preserves and creates features which contribute to the way the urban environment is understood, including the maintenance of appropriate building lines and using new building frontages to create clearly defined edges and public routes~~

~~(G) — ensures servicing and parking are sited and designed sensitively.~~

Policy application

- 10.27 Extensive development would not be suitable in much of the City as it would involve too great a change within conservation areas or areas of established character.
- 10.28 There are few opportunities for extensive new development in the City. Recent examples have included the Paddington Special Policy Area, Vincent Street gas site and Gatliff Road waste transport depot. The opportunities that do arise should be used to create new areas of outstanding townscape quality, with good layouts and designs. It is expected that extensive new development will meet the highest standards of contemporary architecture.
- 10.29 Extensive new development is sufficiently large to have some independent character that distinguishes it from the surrounding townscape. New developments should always respect and, if appropriate, adopt adjoining patterns of historic streets, distinctive estate layouts, building scale, materials and architectural detailing, quality and style. Accordingly the first task is to analyse what makes the surrounding area special. This will allow the preparation of coherent urban design strategies to create new streets, squares, building forms, compositions and points of interest which relate to the scale of the surrounding area, and incorporate existing townscape features of interest. Microclimatic factors should also be considered in the determining of building location and orientation in order for the development to maximise energy efficiency.
- 10.30 New development should preserve and create features which contribute to the way the urban environment is understood by those who use it. This will include maintaining appropriate building lines and using new building frontages to create clearly defined edges and public routes. Buildings and features should be designed to emphasise their relative importance in the hierarchy of routes and to emphasise important public spaces, junctions or centres of activity.
- 10.31 It is important that new development does not disrupt local movement patterns. Care and attention must be given to landscaping, servicing and refuse storage requirements as well. Servicing and parking facilities for

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~~extensive new developments are also of great importance and can have a significant impact, visually and physically, on the local environment. They should be fully and sensitively integrated with the overall design.~~

- ~~10.32 Further advice can be found in the City Council's published supplementary planning guidance with respect to the design of new buildings, entitled 'Design Matters in Westminster' (2001).~~

Reasons

- ~~10.33 The form of new development will affect the townscape quality of the City in the future. It should therefore be permitted only in areas where it will be beneficial, and its relationship with its surroundings should be carefully controlled. The reasoning set out for Policy DES 1 also applies here.~~

DES 3: HIGH BUILDINGS

Aim

- 10.34 To protect and enhance Westminster's townscape, historic character and skyline.

POLICY DES 3: HIGH BUILDINGS

- (A) High buildings (defined as being that which is significantly higher than its surroundings) will not be permitted where the development :**
- 1) would intrude upon strategic views (as defined by Policy DES 14) or upon the setting of the Palace of Westminster or upon the Westminster Abbey World Heritage Site**
 - 2) would have an adverse impact upon the character and appearance of designated conservation areas (DES 9) or upon listed buildings and their settings (DES 10) or upon the views (DES 15) obtained from the following areas:**
 - (a) the London Squares**
 - (b) the Royal Parks**
 - (c) the Grand Union Canal**
 - (d) Regent's Canal**
 - (e) the Thames Special Policy Area**
 - 3) would be incongruous with respect to the prevailing character of the area within which it would be located.**

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- (B) Existing high buildings in Westminster shall not set a policy precedent for similar development on adjacent sites and any new high buildings, if permitted as an exception to Policy DES 3(A) shall satisfy most of the following design criteria:**
- 1) the quality of architectural design embodied in the proposal would visibly contribute to the character of London as a 'world class' city, and**
 - 2) enhance the long-distance skyline of Central London by their profile, aspect ratio and choice of facing and glazing materials, and**
 - 3) the relevant employment opportunities and housing capacity created by the proposal shall be within the existing or planned future capacity of the public transport and highway networks, and**
 - 4) the development shall provide a favourable mix of land use which would facilitate shorter journeys to work, energy conservation and support other sustainability objectives.**
- (C) High buildings which may be exceptionally permitted on the basis of Policy DES 3(B) shall contribute to the improvement or the regeneration of the locality within which they would be sited and should satisfy all the following detailed criteria in their siting and detailed design. They should:**
- 1) define and landmark points of significant urban activity and accord with the scale and character of urban grain and street frontage lengths, existing open space, planting and other topographical features, and**
 - 2) serve to enhance area accessibility and local pedestrian movement by design at ground level and by the provision of open space and active frontages at street level, and**
 - 3) secure an enhancement of the local public realm and publicly accessible areas by the provision of high quality landscaping treatment, and**
 - 4) minimise the effects of overshadowing and overlooking, especially within predominantly residential areas and avoid the effects of wind turbulence and other adverse microclimatic impact, and**

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- 5) ensure that on-site vehicle parking provision and movement is restricted to underground areas as far as possible, and**
 - 6) have no adverse impact upon telecommunications channels and air traffic control and movements.**
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Policy application

- 10.35 On the whole, Westminster is an unacceptable location for high buildings. As such the City Council will seek to mitigate the impact that high buildings have upon the high quality, historic built environment. Where redevelopment or major refurbishment of high buildings arise, consideration will be given to the removal of those that do not make a positive contribution and to their replacement by lower, better designed structures. This is especially the case where high buildings interrupt strategic views or intrude upon the setting of the World Heritage site, the Royal Parks, conservation areas or listed buildings. The London Planning Advisory Committee (LPAC) issued supplementary advice on High Buildings and Strategic Views in London and account will be taken of this in the consideration of applications.
- 10.36 In response to LPAC's supplementary advice on High Buildings and Strategic Views in London (1999), the City Council commissioned a study on high buildings in Westminster in 2000. The study examined the physical and design implications of new high buildings in Westminster and considered what, if any, changes should be made to the adopted UDP policy. The study confirmed that there are no substantial areas of the City where, due to their physical characteristics, high buildings are specifically appropriate and, therefore, did not propose the designation of any such areas. Moreover, because of Westminster's unique urban form and quality, the study concluded that there was no reason to radically revise the City Council's approach to the consideration of high buildings. This approach, however, would not preclude proposals for individual buildings coming forward on an exceptional basis. As such, these proposals must overcome the tests set out in DES 3 to ensure their positive contribution.
- 10.37 Since the 2000 study on high buildings, the development of the Paddington Special Policy Area (PSPA) and the subsequent testing of many sites with regard to the detailed criteria relating to high buildings, has revealed that there is some potential for the location of high buildings within the designated area.
- 10.38 The only location that could accommodate a very high building is at the eastern end of Paddington Basin, close to the existing tower of the Metropole Hotel, where there is little if any impact on important views, nor on the setting of conservation areas or listed buildings. A further site at the western end of the basin, associated with the redevelopment of part of Paddington Station,

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would be suitable for a medium height building, considerably lower than at the eastern end but still able to act as a landmark for the new station complex. Testing of other sites within the PSPA has revealed that it is unlikely that any other sites within the area would be appropriate for locating high buildings when tested against the City Council's criteria.

- 10.39 Given the demanding criteria that high buildings need to meet and the sensitive context of the greater part of the City with regard to conservation Areas, listed buildings and views, it is considered that the PSPA is the only appropriate location for high buildings within the City. The London Plan says, in policy 4B.8, that "Boroughs may wish to identify defined areas of specific character that could be sensitive to tall buildings within their UDPs." Most parts of the City are inappropriate locations for high buildings and so it is sensible to identify the one area where high buildings may be acceptable, rather than identify the many areas where they would not be. This is based on the City Council's high buildings study and subsequent analysis of high building proposals in Paddington, and represents a real assessment of site suitability with regard to the relevant criteria in the UDP.
- 10.40 The provision of high-level viewing galleries open to the public is welcome as an ancillary function of high buildings. Public access to elevated viewpoints within the building, however, will not be considered as outweighing any adverse design or functional impacts of the building itself.
- 10.41 In addition to the normal requirements in relation to planning applications, applications for new high buildings must be accompanied by an environmental performance statement. This should include a design statement and an assessment of the proposal in relation to the local context and any impact upon views, the skyline, landmarks and other buildings or areas of special designation. A traffic assessment is likely to be required as part of the statement. Only in exceptional circumstances will the Council consider the impact of tall buildings on television reception to be a material planning consideration, as in most cases developers will be able to undertake measures to minimise disruption or offer alternatives.

Reason

- 10.42 High buildings are generally not in keeping with the established scale and character of much of Westminster. Their appearance disrupts the skyline of the City and intrudes upon cherished views of Westminster's pre-eminent buildings and monuments. Many disfigure the townscape, relating poorly at street level and damaging the settings of listed buildings, conservation areas and historic parks and open spaces. Others give emphasis to places where such additional emphasis is seldom required or deserved. Furthermore, they present functional problems, requiring complicated servicing arrangements and generating overshadowing and other micro-climatic conditions.
- 10.43 The reasons set out in Policy DES 1 also apply.

DES 4: INFILL DEVELOPMENT

Aim

- 10.44 To ensure the highest quality of new development in order to preserve or enhance Westminster's townscape.
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POLICY DES 4: INFILL DEVELOPMENT

Infill development (defined as the insertion of one or more new buildings within a continuous street façade or frontage) will be permitted as long as its design has regard to the prevailing character and quality of the surrounding townscape, particularly in conservation areas, areas of character and the Thames Policy Area and, in particular, conforms to or reflects the following urban design characteristics, where these are directly relevant and also worthy of preservation or consolidation:

- (A) established building and boundary lines and local scale of development**
 - (B) prevailing overall heights, storey heights and massing of adjacent buildings**
 - (C) characteristic frontage or plot widths within the general area**
 - (D) roof profiles and silhouettes of adjoining buildings**
 - (E) colour, type, source and texture of facing, roofing and paving materials prevalent in the local area**
 - (F) distinctive forms or architectural detailing prevalent in the local area**
 - (G) average dwelling size and net residential densities of the area**
 - (H) existence of set piece or otherwise unified architectural compositions or significant building groups.**
-

Policy application

- 10.45 Infill development is well suited to the small scale and varied townscape character of the City of Westminster. Its form should be determined by its townscape context. The higher the quality and more unified the character of the townscape, the greater the respect for the original scale, form and materials that should be shown by new developments.

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- 10.46 Within areas of high-quality varied townscape, developments should be integrated into their surroundings. This will be achieved through the appropriate choices of scale, form and materials that reflect the type and quality of the existing townscape. Good modern design may be acceptable for infill developments, if successfully carried out within the criteria set out in the policy.
- 10.47 In areas of unified townscape of significant quality, scholarly replica rebuilding will be sought. For example, in order to restore or complete an otherwise coherent, distinctive piece of townscape, or where a building of historic or townscape value has been lost.
- 10.48 In areas of low-quality varied townscape, new developments should positively improve the quality of the area. The opportunity exists to generate new compositions and points of interest. High quality innovative modern architecture may be acceptable in such locations, provided that it respects the scale and form of their surroundings.
- 10.49 The City Council's relevant supplementary planning guidance with respect to the design of new building in the city is 'Design Matters in Westminster' (2001).
- 10.50 The City Council's relevant supplementary planning guidance with respect to infill development in conservation areas is set out in 'Development and Demolition in Conservation Areas' (1996).
- 10.51 The City Council will produce conservation area audits for each of the City's fifty-four conservation areas. (See paragraph 10.122 below). These will include guidance on the particular qualities of a conservation area which should be considered in the design of new infill development.

Reason

- 10.52 The form of new development will affect the townscape quality of the City in the future. It should therefore be permitted only in areas where it will be beneficial, and its relationship with its surroundings should be carefully controlled.

DES 5: ALTERATIONS AND EXTENSIONS

Aim

- 10.53 To ensure the highest standards of design in alterations and extensions in all parts of the city.

POLICY DES 5: ALTERATIONS AND EXTENSIONS

- (A) Permission will generally be granted for development involving the extension or alteration of buildings in the following circumstances:**
- 1) where it is confined to the rear of the existing building**
 - 2) where it does not visually dominate the existing building**
 - 3) if it is in scale with the existing building and its immediate surroundings**
 - 4) if its design reflects the style and details of the existing building**
 - 5) if the use of external materials is consistent with that of the existing building**
 - 6) where any necessary equipment, plant, pipework, ducting or other apparatus is enclosed within the external building envelope, if reasonably practicable**
 - 7) where external apparatus such as surveillance equipment is needed it is located so that visual or any other impact on amenity is avoided or minimised.**
- (B) Permission may be refused for development involving the alteration or extension of buildings in the following circumstances:**
- 1) where an extension rises above the penultimate storey of the existing building (excluding roof storeys)**
 - 2) where it occupies an excessive part of the garden ground or other enclosure**
 - 3) where any added floorspace is obtained by the roofing over or physical enclosure of basement areas**
 - 4) where it involves the loss of significant gaps between buildings**
 - 5) where it involves the installation of entrance canopies which either obscure or are at variance with the architectural features of the building.**

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(C) Permission will generally be granted for new shopfronts to retail or similar premises open to the general public, in the following circumstances:

- 1) where they relate satisfactorily to the design of the upper parts of the building**
- 2) where they would not displace existing shopfronts which are locally distinctive or characteristic**
- 3) where the new shopfront is not designed to be entirely or largely openable, in the absence of local circumstances or established patterns of trading activity**
- 4) where they do not involve the installation of solid or perforated external shutters, except in specially justified circumstances.**

Policy application

- 10.54 All new building works should be successfully integrated with their surroundings. They should retain or restore existing features that are important elements in the townscape or that contribute to the architectural integrity or proportions of a building or group of buildings.
- 10.55 Extensions should normally be carried out at the rear of properties and respect the scale of the existing building. Extensions at the front of buildings are very rarely acceptable because of their damaging impact on the appearance of buildings, the streetscape and the area generally. Similarly extensions at the side, infilling gaps between buildings, can be equally damaging, especially when those gaps are important townscape features. Care should be taken not to disfigure buildings or upset their proportions with oversized extensions. Extensions should normally terminate at the penultimate storey of the existing building, excluding any roof storeys, i.e. one storey below parapet level. The architectural style, detailing and materials should be appropriate to their context.
- 10.56 Replacement windows should be designed to complement the architectural style and detailing of the existing building. Where existing windows contribute to the townscape value of a building, they should be retained. If they must be replaced, the new windows should be exact copies of the originals. The use of uPVC or aluminium windows will not normally be acceptable in such situations.

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- 10.57 Shopfronts are particularly vulnerable to commercial pressures for their replacement and alteration, but standardised 'house styles' and transient fashions in retail design are rarely appropriate. Traditional shopfronts are features of historic buildings and of the townscape that should be preserved wherever possible. Replacement shopfronts should be designed and detailed so that the ground floor relates satisfactorily to the elevational design of the upper parts of the building. Shopfronts with a high degree of opening, including fully opening shopfronts and shopfronts with serving hatches, usually relate poorly to the upper parts of the building and will generally be unacceptable. They can also give rise to amenity problems, by allowing transmission of noise. Solid roller shutters, including perforated shutters, have a deadening visual impact on street frontages and will also normally be unacceptable. Shopfronts should incorporate improved access arrangements for all, particularly those with disabilities, elderly people and people with children in buggies.
- 10.58 Security equipment such as alarm boxes, shutters and television cameras mounted on the facades of buildings can detract from their character and architectural integrity and can have a wider impact. It is often possible to reduce the impact of security measures by sensitive design, using small items of equipment, and to position them discreetly within the existing building. This is particularly true of security shutters for retail premises, where the use of a brick-bond type grille set inside the shopfront glazing offers security without detracting from the appearance of the building and from the street.
- 10.59 Plant and other equipment can have a significantly adverse impact on the appearance of buildings and areas. Considerable care needs to be taken to avoid such impact. Such equipment should be located within the building if at all possible. In other cases screening may be required to make an installation acceptable. Plant installations should also be designed to minimise noise emissions and their impact on air quality. In some cases the principle of the installation, whether screened or not, may be unacceptable, because of its adverse visual, or amenity, impact. Redundant air conditioning equipment must be removed.
- 10.60 The painting of unlisted buildings is normally outside the control of the local planning authority. In many cases, control is not needed and painting can be left to personal preference. There are some areas, however - for example, where stucco properties are of a uniform design or grand composition - where a consistent form of decoration is necessary.
- 10.61 Certain development is permitted by virtue of the Town and Country Planning (General Permitted Development) Order 1995. In these cases planning permission is not required. However, if necessary, the City Council can take away 'permitted development' rights through the imposition of 'Article 4' directions. A list of properties affected by current 'Article 4' directions is given

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in Appendix 10.2 at the end of this chapter. Additions may be made to it from time to time.

- 10.62 The City Council's relevant supplementary planning guidance with respect to extensions to buildings in conservation areas is set out in 'Development and Demolition in Conservation Areas' (1996). Advice with respect to conservatories is included in 'Conservatories: A Guide to Design and Planning Procedures' (1994). Advice on development in mews is set out in 'Mews: A Guide to Alterations' (1992).
- 10.63 Advice on extensions and alterations in particular parts of the city is set out in 'The Pimlico Design Guide (1992); 'Wilton Row and Old Barrack Yard, SW1: Design Guidelines for Alterations' (1994); 'Ennismore Gardens Mews: A Guide to Alterations' (1995); 'The Queen's Park Estate Design Guide' (1995) and 'Relton Mews: Guidelines for Alterations' (1992). Further advice is available in the leaflet 'Stucco: A Guide to its Care and Maintenance' (1994).
- 10.64 The City Council's relevant supplementary planning guidance with respect to plant, telecommunications and security equipment is set out in 'Plant and Air Conditioning Equipment' (1993); 'A Guide to the siting of Satellite Dishes and other Telecommunications Equipment' (1998) and 'A Guide to the siting of Security Cameras and other Security Equipment' (1995).
- 10.65 The City Council's relevant supplementary planning guidance with respect to shopfront design is set out in 'Shopfronts, Blinds and Signs' (1993) and 'Design Guidelines for Shopfront Security' (1995). Guidance on the design of opening shopfronts is included in 'A planning guide for Food and Drink Premises' (1999). Advice relating to specific streets is contained in 'Bond Street: A Guide to Shopfronts and Advertisements' (1992) and 'A Guide to Shopfronts and Advertisements in Regent Street' (1993).

Reasons

- 10.66 Alterations and extensions are often necessary during the life of a building. If carried out unsympathetically, they will spoil the appearance of buildings or the townscape.

DES 6: ROOF LEVEL ALTERATIONS AND EXTENSIONS

Aim

10.67 To ensure the highest standards of design in alterations and extensions.

POLICY DES 6: ROOF LEVEL ALTERATIONS AND EXTENSIONS

- (A) Permission may be refused for roof level alterations and extensions to existing buildings (which may include the installation of conservatories, roof terraces, telecommunications equipment or solar collectors) in the following circumstances:**
- 1) where any additional floors, installations or enclosures would adversely affect either the architectural character or unity of a building or group of buildings**
 - 2) where buildings are completed compositions or include mansard or other existing forms of roof extension**
 - 3) where the existing building's form or profile makes a contribution to the local skyline or was originally designed to be seen in silhouette**
 - 4) where the extension would be visually intrusive or unsightly when seen in longer public or private views from ground or upper levels**
 - 5) where unusual or historically significant or distinctive roof forms, coverings, constructions or features would be lost by such extensions.**
- (B) Permission may be granted for new roof structures or additional storeys on existing buildings in the following circumstances:**
- 1) where the proposed development or form of alteration is in sympathy with the existing building's architectural character, storey heights and general elevational proportions**
 - 2) where the form and detailing of the extension either repeats or reflects the form, detailing or use of materials found in the existing building**
 - 3) where the proposed design accords with (or establishes an acceptable precedent for) similar extensions within the same group of buildings**
 - 4) where the design of extension avoids any infringement of the amenity or reasonable visual privacy enjoyed by the occupants of adjacent or nearby buildings.**
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Policy application

- 10.68 All roof alterations and extensions should be successfully integrated with their surroundings. They should retain or re-instate existing features that are important elements in the townscape or that contribute to the architectural integrity or proportions of a building or group of buildings. Roof extensions should relate to the scale, height, detailing and materials of the existing building.
- 10.69 There are some buildings where roof extensions are not appropriate. These include terraces or groups of buildings that have original unbroken or unaltered rooflines, buildings that are as high or higher than their neighbours, and buildings where the existing roof or skyline contributes to the character of the area. Buildings which are completed compositions, with an existing architectural climax at roof level, are not suitable for extension. Roof-level conservatories, terraces and gardens can provide attractive outdoor spaces within the densely built-up city but, unless sensitively handled, can harm the appearance of buildings and impair local amenity. Only if a proposal is acceptable in terms of DES 6 (A), that is the principle of an extension or alteration is acceptable, should policy DES 6 (B) be applied.
- 10.70 Other structures on roofs, including telecommunications equipment and plant, are increasingly required. While new technology is necessary to the efficient functioning of businesses and the enjoyment of residential premises, it can create clutter on the skyline and street frontage, and damage visual and other amenity. It is usually possible to design and position these structures so as to minimise their impact, and on re-developments, roof spaces should include specialised accessible areas for the enclosure of telecommunications and satellite dishes. But on buildings of architectural and historic interest or where they will be visible from a distance or from sensitive viewpoints such as the Royal Parks, substantial structures will not be acceptable.
- 10.71 In some cases alterations to roofs of single family dwelling houses will be permitted development under the Town and Country Planning (General Permitted Development) Order 1995 and so planning permission will not be required. The City Council may issue Article 4 directions to remove permitted development rights from properties in areas threatened with insensitive alterations, which would normally be beyond the City Council's control.
- 10.72 The City Council's relevant supplementary planning guidance with respect to roof extensions and alterations is set out in 'Roofs: A Guide to Alterations and Extensions on Domestic Buildings' (1995). Additional advice is included in 'Development and Demolition in Conservation Areas' (1996) and 'Repairs and Alterations to Listed Buildings' (1996).

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- 10.73 Further advice on roof extensions is included in 'Mews: A Guide to Alterations' (1992); 'Molyneux Street Conservation Area: A guide to Roof Extensions' (1992); 'Ennismore Gardens Mews: A Guide to Alterations' (1995); 'The Pimlico Design Guide (1992); and 'Wilton Row and Old Barrack Yard, SW1: Design Guidelines for Alterations' (1994).
- 10.74 Advice with respect to roof level structures is included in 'A guide to the siting of Satellite Dishes and other Telecommunications Equipment' (1998), 'Plant and Air Conditioning Equipment' (1993) and 'Conservatories: A Guide to Design and Planning Procedures' (1994).
- 10.75 The City Council's conservation area audits will identify buildings within each conservation area where the addition of a roof extension is unlikely to be acceptable. The assessment of acceptability will be based on the application of policy DES 6 above.

Reasons

- 10.76 Roof extensions may be a practical way of increasing floorspace, especially in terraced houses. If carried out unsympathetically, they will spoil the appearance of buildings or the townscape. Some existing roofs and skylines are important features of the townscape and should be retained unaltered.

DES 7: TOWNSCAPE MANAGEMENT

Aim

- 10.77 To ensure the highest standards of design in all townscape details.

POLICY DES 7: TOWNSCAPE MANAGEMENT

(A) Public artworks

- 1) **The provision of public artwork, including sculpture, statuary and mural decoration, will be encouraged where permission is sought for suitable schemes of development or redevelopment.**
- 2) **Such artwork should be**
 - a) **of a high standard of design and execution, using high quality materials, and**
 - b) **spatially related to the development scheme in question and, where fixed to a building, integral to the design of that building.**

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(B) Street furniture and floodlighting

- 1) Where the placement of street furniture requires planning permission, it shall be of a suitable standard of design, accord with the patterns of items already in use and generally be sited so as to be visually unobtrusive, having regard to the character and quality of the existing townscape.**
- 2) Where the installation of floodlighting fittings and associated cabling and equipment requires planning permission, it shall be done in a visually discreet manner, having regard to the character of buildings and land on or within which it is to be located.**
- 3) Where such installations are needed for the purposes of development for which permission is sought, they shall be designed to prevent or minimise light pollution or trespass and may be restricted as to maximum hours of operation or levels of illumination, especially in residential areas.**

(C) Boundary walls and railings

- 1) In schemes of development, the loss of boundary walls and railings will be resisted where they form an important feature of and make a positive visual contribution to the street scene**
- 2) Permission will be granted for the addition of boundary walls and railings where**
 - a) they replicate an existing or traditional pattern which is characteristic of the immediate locality**
 - b) they are of a design and employ materials appropriate to the existing or proposed building, in the case of there being no prevalent or traditional pattern in the locality.**

(D) Off-street parking and hardstandings

Permission (where required) will not be granted for the formation of hardstandings

- 1) where they are located in garden ground that is important to the character or appearance of a conservation area or for residential amenity**

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- 2) **where such development is located in garden ground of importance to the immediate setting of a listed building or a recognisably uniform group of buildings**
- 3) **where it would involve the loss of much of the front garden area or any tree of townscape significance or require the demolition of front garden walls or railings.**

(E) Paving

The City Council will use suitable paving materials in all areas and will require the sensitive treatment of paving in private schemes to accord with the character of adjacent buildings and surrounding areas.

Policy application

- 10.78 The City Council encourages the provision of new public art in Westminster. It welcomes the inclusion of appropriate visual arts within development proposal schemes and will seek their provision as planning benefits through the operation of Policy STRA 7. Voluntary agreements will be encouraged with developers, where appropriate, to commission art and craft work as part of, and commensurate in scale with, a new building or major refurbishment projects. The involvement of professional artists whose work shows sympathy for the form and quality of the surrounding environment is welcome.
- 10.79 The City Council will resist the proliferation of clutter both on buildings and in the street by using all its available powers. The loss of boundary treatments, and front gardens to hardstandings, will also be rigorously resisted. Where new boundary treatments are proposed they should accord with the characteristic details of the surrounding area. In some cases works involving railings, walls and hardstandings will be permitted development under the Town and Country Planning (General Permitted Development) Order 1995 and so planning permission will not be required. The City Council may issue Article 4 directions to remove permitted development rights from properties in areas threatened with insensitive alterations which would normally be beyond the City Council's control.

Reasons

Public art

- 10.80 Public art can play a valuable role in enlivening the appearance of the physical environment. It also has an important educational role. Its proper integration into a development can create a more stimulating environment and play an important part in promoting the cultural image of Westminster.

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The City Council supports the aims of the Arts Council's 'Percent for Art' campaign and the provision of public art is encouraged.

Floodlighting

- 10.81 The City Council recognises that floodlighting buildings, if carried out sensitively, can greatly enhance their appearance at night, and contribute to the attractiveness and vitality of Westminster as a centre of tourism.
- 10.82 Where the principle is acceptable, floodlights should be chosen and located to minimise their visual impact. Small lights should be used. Lights and cables should be coloured to match the adjacent facing material and should be located in unobtrusive locations. If possible lights should be located behind balustrades and parapets so they are hidden from view.
- 10.83 The colour of light have a major impact on the attractiveness of the lighting scheme. Coloured lights are unlikely to be suitable for most buildings. In some cases the use of coloured light can constitute an advertisement and advertisement consent may be required. If consent is granted for the installation of lights the City Council may impose conditions to control the colour of light to be used. Intermittent lights are almost always unacceptable. Schemes should be designed carefully to minimise light pollution, especially in residential areas.
- 10.84 Consideration will also be given to highway matters or residential amenity in the determination of any application to floodlight a building.

Street furniture

- 10.85 Central Westminster attracts visitors, shoppers and workers from a wide area and its streets are intensively used by pedestrians. This results in the need for a large number of litter bins, benches, telephones, bus shelters, post boxes, signs and similar facilities.
- 10.86 If not carefully designed and sited, the large numbers of such amenities, together with street lights, planters, recycling banks and the essential structures of statutory undertakers can result in visual clutter and confusion and a general air of untidiness. Advertisements on street furniture can add to this unsightliness. While the provision of street amenities is to be welcomed, in some sensitive locations there are already so many individual items that further structures cannot be accommodated without harming the environment. Containers such as bottle and can banks and other community bins for refuse and recyclable materials, should be properly sited so as to minimise visual intrusion and to allow clear passage for people as well as minimise disturbance to nearby residences. In conservation areas street furniture can be particularly discordant unless it is designed and sited with respect to the particular character of the area. The City Council is reviewing its street furniture manual which sets out standards for the choice, design and layout of

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street furniture and paving to be used in the City's streets, and will publish new guidance in due course.

- 10.87 Westminster has an outstanding heritage of interesting and historic street furniture. This includes drinking fountains and cattle troughs, decorative Victorian cast-iron lamp standards and statues and memorials, many of them listed. Red cast-iron letter boxes and telephone kiosks are world famous as a distinctive feature of London. The Council intends to protect these historic and characteristic features of the street scene.
- 10.88 Railings, boundary walls and other enclosures are very important in defining the edges and boundaries between public and private spaces. Although railings were formerly a characteristic feature, many squares and open spaces in public and private ownership have lost their railings. The City Council aims to replace railings in the squares for which it has responsibility and will encourage private owners of squares to do the same.
- 10.89 The enclosure of front gardens is a characteristic feature of some conservation areas. In some small gardens and forecourts, the design of boundary walls and fences is important to the character of the area. The City Council has, in some cases, control over their removal. It is also hoped that residents, owners' and residents' associations will co-operate in maintaining these traditional features. In some areas, such as Maida Vale and St. John's Wood, front gardens are an important feature of a conservation area or form the setting for listed buildings, and should be protected. The City Council will discourage the loss of front gardens to hardstandings for off-street parking. Such development and associated pavement crossovers, can detract from the appearance and setting of a building or terrace, breaking the traditional form of enclosure, and may obstruct the outlook from basements as well as cause a net loss of on-street residential parking.
- 10.90 Re-paving work, designed with sensitivity and using suitable materials, can make an important contribution to the character of a conservation area, and the repair and restoration of existing paved areas of quality is continuing. The street surface assumes particular prominence in mews because of their enclosed character. Similarly, it is necessary to design carefully the paving of small private courtyards and forecourts, especially where these are visible to the general public.
- 10.91 The City Council's relevant supplementary planning guidance with respect to public art and statues is set out in 'Public Art in Westminster' (1994) and 'Statues, Sculptures and Monuments in Westminster' (1998). Advice with respect to lights and railings is set out in 'Lighting up the City' (1994) and 'Railings in Westminster' (1995). The City Council's relevant supplementary planning guidance with respect to front garden parking is set out in 'Front Garden Parking: A Guide to Legislation and Design' (1992).

DES 8: SIGNS AND ADVERTISEMENTS

Aim

- 10.92 To secure the highest standards of design in all advertisements, and their compatibility with the townscape.
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POLICY DES 8: SIGNS AND ADVERTISEMENTS

(A) Signs and advertisements

- 1) Consent will be granted for signs and advertisements which:**
 - a) are well designed and sensitively located within the street scene**
 - b) relate to the character, scale and architectural features of the building on which they are to be fixed**
 - c) in the case of shop signs, are located at fascia level**
 - d) in the case of signs on shop blinds, comprise traditional, retractable canvas awnings.**

- 2) Consent will not normally be granted for any of the following:**
 - a) signs and advertisements on street furniture or ground surfaces, especially in conservation areas, London squares, or adjacent to the Royal Parks, listed buildings or other sensitive locations**
 - b) significant advertisement displays on commercial buildings in residential areas**
 - c) internally illuminated box fascia or projecting signs within conservation areas or residential areas**
 - d) illuminated advertisements in areas adjacent to the Royal Parks and some London squares**
 - e) LED and video screens, moving digital displays and message boards and intermittent, flashing or light-projected signs**
 - f) where the proposed advert, seen in conjunction with existing signs, would lead to visual clutter on a building**
 - g) high level signs**
 - h) balloon advertisements**

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- i) permanent or temporary advertising hoardings or shrouds, unless they are sensitively related to its local context, with a minimum of obvious or intrusive commercial advertising content or display**
- j) temporary promotional banners and other forms of temporary advertising, on buildings or street furniture**
- k) permanent or multiple flagpoles, flag or banner advertisements.**

(B) Estate agents' boards

- 1) In areas where a Regulation 7 direction applies, consent will be granted for estate agents' boards on commercial properties that relate satisfactorily to the character, scale and architectural features of the building**
- 2) On residential properties consent will normally be refused for the display of estate agents' boards**

Policy application

- 10.93 Under current legislation the City Council controls outdoor advertising in the interests of amenity and public safety. Subject to the agreement of the Secretary of State, the Council may designate more Regulation 7 areas and areas of special control.
- 10.94 Signs and advertisements are important to commercial areas, being both informative and sometimes adding interest and vitality to the street scene. The City Council considers it important to control signs and advertisements since, if insensitively handled in size, design or siting, they can harm the appearance of buildings and add clutter to an already busy street scene.
- 10.95 The proliferation of signs and advertisements, of increasing size, movement and brilliance, may be damaging to the appearance of individual buildings, streets and areas of the City. In particular, the architectural integrity of individual buildings and groups of buildings may be damaged by insensitive advertisements. Signs and advertisements fixed on a building should relate to the traditional proportions of the building. High level signs and advertisements, promotional banners, balloon advertisements and mobile, rotating or electronic signs are inappropriate to the character of Westminster's streets. However, special consideration will be given to proposals for such advertisements in areas, such as Piccadilly Circus where existing advertisements make a positive contribution to their character and appearance. High level signs may be acceptable on certain building types

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such as theatres, major department stores, cinemas and pubs. Moving digital displays and message boards may also be acceptable on some theatres and cinemas.

- 10.96 In certain areas the proliferation of estate agents' boards is a particular problem. The City Council controls the display of these boards in several designated 'Regulation 7' areas, which are shown in the supplementary planning guidance, 'Boardwatch: A Guide to the Design and Display of Estate Agent's Boards' (2000). Other areas may be designated as and when necessary. A committee of agents formed by the Office Agents' Society and Shop Agents' Society has agreed a set of criteria for the display of boards advertising commercial property in certain conservation areas.
- 10.97 In areas such as Pimlico and Bayswater, there are complex and conflicting requirements. For example, the commercial needs of hotel operators must be balanced with the amenity of residents, the need to preserve or enhance the character and appearance of the conservation area, and the maintenance of the architectural and historic interest of listed buildings and their settings. In these types of areas, simple painted fascia boards, traditional hanging signs or individually lit letters are preferable. Supplementary planning guidance is available for hotels in Pimlico, Sussex Gardens and other sensitive conservation areas. This is included in the 'Advertisement Design Guidelines' (1992).
- 10.98 In busy commercial streets in conservation areas, the City Council will use its powers flexibly. Advertisements should relate sensitively to the building to which they are fixed and to the character and appearance of the area. Shop signs should be at fascia level and be externally illuminated. Internally illuminated box fascias and projecting signs are not normally appropriate in conservation areas, unless they can be related successfully to the design and detailing of the building and do not detract from the character of a group of buildings or a street.
- 10.99 Advertising hoardings or shrouds have a significant impact on visual amenity and are inappropriate as permanent features in Westminster. Temporary hoardings or shrouds around building sites or empty sites should not normally be used for displaying poster advertisements. However, in commercial streets, posters on building site hoardings at ground floor level may be acceptable. Large displays above ground floor level can have an adverse impact on amenity and are not appropriate.
- 10.100 Flags are a traditional and colourful feature of the London scene, and the flags flown on public buildings and foreign diplomatic premises symbolise the role of Central London as the capital of the nation. In recent years, however, commercial establishments have increasingly used flags on angled poles as a form of display and as advertisement.

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- 10.101 Flags and banners can have an adverse impact on the appearance of buildings and the streetscape, by obscuring the façade of buildings and contributing to visual clutter. In streets throughout the city such displays will generally be unacceptable in principle. Exceptions may be made in the case of large hotels, department stores, embassies and cultural institutions, including theatres and cinemas.
- 10.102 In certain commercial streets such as Regent Street, Old and New Bond Streets, where there is a long standing tradition of flag displays, proposals will be acceptable, if they are in accordance with the City Council's guidelines for the display of flags in these streets.
- 10.103 Advertisements, such as promotional banners, on light columns and other street furniture, introduce visual clutter to streets and have a significantly adverse effect on the appearance of the streetscape and the amenity of areas. On purpose-designed street furniture, such as in Oxford Street, artistic banners, incorporating a small element of sponsorship advertising, may be acceptable. In some busy commercial streets, such as Oxford Street, advertising on bus shelters may be acceptable, provided that it does not harm the character and appearance of conservation areas or the setting of listed buildings.
- 10.104 Where commercial premises exist in residential areas there should be a minimum of advertising on buildings to preserve the amenity of such areas.
- 10.105 There are many regulations governing the design and siting of traffic signs and street lighting, and these apply equally to all areas. Where signs are necessary in conservation areas, their disruptive effect may be minimised being well-sited and grouped, as far as regulations permit.
- 10.106 Supplementary guidance is available in the Council's publications 'Advertisement Design Guidelines' (1992) and 'Shopfronts, Blinds and Signs' (1993). Advice relating to specific streets and areas is contained in 'Bond Street: A Guide to Shopfronts and Advertisements' (1992); 'A Guide to Shopfronts and Advertisements in Regent Street' (1993), and 'Flags in Soho' (2005).
- 10.107 Signs and advertisements are necessary for the efficient functioning and commercial prosperity of the City, but if insensitively handled in size, design or siting, they can harm the appearance of buildings and add visual clutter to an already busy street scene.

POLICY DES 9: CONSERVATION AREAS

Aim

10.108 To preserve or enhance the character or appearance of conservation areas and their settings.

POLICY DES 9: CONSERVATION AREAS

(A) Applications for outline planning permission in conservation areas

In the case of outline planning applications within designated conservation areas it may be necessary to require additional details to be produced in order that the physical impact of the proposed development may be fully assessed.

(B) Planning applications involving demolition in conservation areas

- 1) Buildings identified as of local architectural, historical or topographical interest in adopted conservation area audits will enjoy a general presumption against demolition**
- 2) Development proposals within conservation areas, involving the demolition of unlisted buildings, may be permitted**
 - a) If the building makes either a negative or insignificant contribution to the character or appearance of the area, and/or**
 - b) If the design quality of the proposed development is considered to result in an enhancement of the conservation area's overall character or appearance, having regard to issues of economic viability, including the viability of retaining and repairing the existing building**
- 3) In any such case, there should also be firm and appropriately detailed proposals for the future viable redevelopment of the application site that have been approved and their implementation assured by planning condition or agreement.**

(C) Planning application for alteration or extension of unlisted buildings

Planning permission will be granted for proposals which

- 1) Serve to reinstate missing traditional features, such as doors, windows, shopfronts, front porches and other decorative features**
- 2) Use traditional and, where appropriate, reclaimed or recycled building materials**
- 3) Use prevalent facing, roofing and paving materials, having regard to the content of relevant conservation area audits or other adopted supplementary guidance**
- 4) In locally appropriate situations, use modern or other atypical facing materials or detailing or innovative forms of building design and construction**

(D) Conservation area audits

The existence, character and contribution to the local scene of buildings or features of architectural, historical or topographical interest, recognised as such in supplementary planning guidance, such as conservation area audits, will be of relevance to the application of policies DES 4 to DES 7, and DES 10.

(E) Changes of use within conservation areas

Permission will only be granted for development, involving a material change of use, which would serve either to preserve or enhance the character and appearance of the conservation area, bearing in mind the detailed viability of the development.

(F) Setting of conservation areas

Development will not be permitted which, although not wholly or partly located within a designated conservation area, might nevertheless have a visibly adverse effect upon the area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area.

(G) Restrictions on permitted development in conservation areas

- 1) In order to give additional protection to the character and appearance of conservation areas, directions may be made under article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995. Types of generally permitted development to which such directions may apply will include:
 - a) painting, cladding or rendering of building facades**
 - b) insertion or replacement of doors and windows**
 - c) removal or replacement of boundary walls and fences**
 - d) alteration of roof profiles and replacement of roofing materials.****
- 2) Such added powers of planning control may be applied to designated conservation areas the subject of adopted conservation area audits or to buildings or groups of buildings therein identified as being of architectural, historical or topographical interest.**
- 3) The existence of such directions will be taken into account in the authorisation of development that may itself be made subject to the removal of permitted development rights, in appropriate individual cases.**

Policy application

10.109 The successful integration of new developments, alterations or extensions depends on detailing as well as scale and massing. Therefore, applications for outline permission for development will not be considered. Applicants will be required to provide sufficient information about proposed development to enable its effect on the character and appearance of the conservation area to be properly assessed.

10.110 In all cases the City Council will expect applications to provide sufficient information about the proposed development and its immediate setting to enable the effect of the proposal on the character and appearance of the conservation area to be properly and fully assessed. The City Council will

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consult local amenity societies and, when appropriate, national amenity societies, English Heritage and the Commission for Architecture and the Built Environment when major development is proposed in conservation areas.

- 10.111 Many buildings, both listed and unlisted, contribute to the character or appearance of conservation areas. There are others, which make little or no contribution and which could be replaced with suitable new developments. The City Council will encourage the redevelopment of unattractive buildings that have a negative effect upon the character and appearance, and setting, of conservation areas. All proposals for new developments will be considered in the light of their effect on the character and appearance or setting of the conservation area. High quality modern architecture will be acceptable in conservation areas provided that it can be demonstrated that it is sensitively designed in response to its conservation area context and will preserve or enhance the character and appearance of the conservation area.
- 10.112 In assessing proposals for the demolition of a building which makes a positive contribution to the character and appearance of a conservation area (as identified in conservation area audits), the City Council will apply the tests set out in PPG 15: Planning and the Historic Environment, paragraphs 3.15 to 3.19. Where a conservation area audit has yet to be published, the City Council will assess the merits of an existing building and its contribution to the conservation area with respect to the advice set out in guidance produced by the Government and English Heritage. In particular the City Council will assess the economic viability of retaining and refurbishing the existing building, and the relative contribution of the existing building and the anticipated contribution of proposed building to the character and appearance of the conservation area. In making this assessment the contribution of the existing and proposed uses to the character or appearance of the conservation area will be considered.
- 10.113 In some cases complete demolition behind the facade may be acceptable, but it may be necessary to maintain the scale of the original rooms on the main floors of the principal facades in order to preserve the appearance and integrity of the building, particularly at night. The Council will also require applicants to demonstrate that the stability and architectural integrity of those parts of the building to be retained are adequately safeguarded both during the course of reconstruction work and afterwards. For this reason, the City Council considers that most traditional cellular buildings of the eighteenth and nineteenth centuries, originally built for domestic purposes, are unsuitable for major structural change or partial demolition. Commercial buildings with basic purpose-built framed structures, dating from the late nineteenth century onwards, are more adaptable in this respect.
- 10.114 When conservation area consent is granted for demolition it will normally be concurrent with planning permission for new development. Appropriate conditions will be attached to the conservation area consent so that

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demolition cannot proceed without development proceeding immediately afterwards, as part of a continuous process. This is to prevent vacant sites being created, which would adversely affect the character and appearance of conservation areas. Furthermore, the City Council may add conditions on a consent for demolition and redevelopment requiring the salvage and reuse of materials from the building to be demolished.

- 10.115 Alterations and extensions to buildings in conservation areas should preserve or enhance the character or appearance of the area. Views from surrounding buildings and other non street-level views may be important.
- 10.116 Shopfronts make an important contribution to the character and appearance of many conservation areas. The installation of new shopfronts may provide opportunities to enhance conservation areas and the City Council will expect new shopfronts to make a significant, positive contribution to the conservation area.
- 10.117 In almost all circumstances, the removal of original shopfronts will not be acceptable. The City Council may seek to protect non-original shopfronts which make a significant contribution to the conservation area.
- 10.118 The replacement of traditional windows with non-traditional materials such as aluminium or uPVC, or with inappropriate designs, will not normally be acceptable. The inappropriate use of modern roofing or recladding materials may also adversely affect the character and appearance of the conservation area. In general, all alterations and extensions should be carried out in materials to match existing or in keeping with the character and appearance of the conservation area. In some exceptional circumstances, modern or atypical materials, detailing or innovative design may be acceptable. However, such departures from normal policy will need to be fully justified in terms of their impact on the conservation area.
- 10.119 In addition to visual quality, the uses that are associated with particular buildings and conservation areas are vitally important to the character of those areas. In some cases the uses are important contributory factors to an area's character; in other cases they actually create that character or have long historic or functional relationships. In Covent Garden, for example, the character, scale and diversity of both buildings and uses are important to its economic success and its attractiveness to residents and visitors.
- 10.120 In considering applications involving change of use the City Council will consider the contribution of existing and proposed uses to the character or appearance of the conservation area.
- 10.121 The boundaries of some conservation areas may include areas of marginal architectural quality where new developments should be carefully controlled. Development outside but adjacent to conservation areas can have a

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significant impact on the setting of conservation areas. New development in such areas should take into account and respect the character and appearance of neighbouring conservation areas in order to safeguard their setting.

10.122 In line with its statutory duty, the City Council will from time to time, formulate and publish assessments and proposals for all fifty-four conservation areas in the City. Conservation area audits will be produced for each conservation area, giving a full and detailed assessment of the area's character and appearance. Appendix 10.3 gives details of the progress made in preparing these audits.

10.123 As work on the care and protection of conservation areas proceeds, it will be appropriate to initiate schemes for the improvement of parts of the areas. The enhancement of open spaces, and especially streets, by tree planting, schemes for painting facades, and other improvements, can all bring considerable benefit. Some of these schemes may be initiated by the City Council, as local planning and highway authority. Others may be at the instigation of local residents, owners or amenity societies.

10.124 The City Council may take other steps to secure the preservation and enhancement of its conservation areas. It may serve notices under s215 of the Town and Country Planning Act 1990 to require owners or occupiers to carry out works to repair buildings or improve neglected land which is adversely affecting amenity.

10.125 It may also issue Article 4 directions to remove permitted development rights from properties in areas threatened with insensitive alterations, which would normally be beyond the City Council's control. Appendix 10.2 provides a list of Article 4 directions in Westminster.

10.126 The City Council has published supplementary planning guidance with respect to its conservation area policies. This is set out in 'Development and Demolition in Conservation Areas' (1996). Many of the City Council's other supplementary planning guidance leaflets referred to in this chapter contain advice relevant to the design of new development in conservation areas.

Reasons

10.127 National policy on aesthetic control is set out in paragraphs 33 to 39 of PPS 1: Delivering Sustainable Development. It expects local planning authorities should plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to designate as conservation areas any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'.

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10.128 The City Council considers that areas of Westminster of significant townscape quality or with a distinctive character are worthy of preservation and enhancement. They are individually important and collectively contribute to the character of the City. Not only are conservation areas important locally, but there are a number which are also valued for their metropolitan and national significance. The Palace of Westminster, St. Margaret's and Westminster Abbey comprise one of twenty-six sites in the United Kingdom inscribed by the World Heritage Committee as a 'world heritage site'. Other areas such as Whitehall, Trafalgar Square, the River Thames and the riverside area, the legal precinct around the Royal Courts of Justice, Westminster Abbey and Parliament Square are at the heart of London and their special character and importance will be preserved and enhanced for national as well as local reasons. Since the Civic Amenities Act 1967 first conferred powers requiring local authorities to designate conservation areas, many such areas of special architectural or historic interest and character have been designated in Westminster.

DES 10: LISTED BUILDINGS

Aim

10.129 To protect and enhance listed buildings, their settings and those features of special architectural or historic interest that they possess.

POLICY DES 10: LISTED BUILDINGS

(A) Applications for planning permission

Applications for development involving the extension or alteration of listed buildings will where relevant need to include full details of means of access, siting, design and external appearance of the proposed development in order to demonstrate that it would respect the listed building's character and appearance and serve to preserve, restore or complement its features of special architectural or historic interest.

(B) Demolition of listed buildings

1) Development involving the total demolition of a listed building (or any building listed by virtue of being within its curtilage) will only be permitted if, where relevant, the following criteria are met:

- a) **it is not possible to continue to use the listed building for its existing, previous or original purpose or function, and**
 - b) **every effort has been made to continue the present use or to find another economically viable use and obtain planning permission, with or without physical alteration, and**
 - c) **the historic character or appearance of the main building would be restored or improved by the demolition of curtilage building(s), or**
 - d) **substantial benefits to the community would derive from the nature, form and function of the proposed development, and (in all cases)**
 - e) **demolition would not result in the creation of a long-term cleared site to the detriment of adjacent listed buildings**
- 2) **If development is authorised in conformity with any of the above criteria, it may be made subject to a condition, agreement or undertaking that any consequential demolition shall not be carried out until all the relevant details of the proposed development have been approved and a contract has been entered into for its subsequent execution.**

(C) Changes of use of listed buildings

Development involving the change of use of a listed building (and any works of alteration associated with it, including external illumination) may be permitted where it would contribute economically towards the restoration, retention or maintenance of the listed building (or group of buildings) without such development adversely affecting the special architectural or historic interest of the building (or its setting) or its spatial or structural integrity.

(D) Setting of listed buildings

Planning permission will not be granted where it would adversely affect:

- a) **the immediate or wider setting of a listed building, or**
- b) **recognised and recorded views of a listed building or a group of listed buildings, or**

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c) the spatial integrity or historic unity of the curtilage of a listed building.

(E) Theft or removal of architectural items of interest

In order to reduce the risk of theft or removal of architectural items of interest or value from historic buildings during the course of development, the City Council may require additional security arrangements to be made while buildings are empty or during the course of building works.

Policy application

- 10.130 Routine maintenance is the responsibility of the owners of a building. If the necessary repairs are not carried out, then the City Council may intervene to ensure the preservation of a building either by issuing repairs notices, or in the case of vacant buildings, by carrying out emergency repairs, and seeking reparation from the owner subsequently. The City Council may use its powers of compulsory purchase in order to safeguard the future of any listed buildings identified as being at risk especially where vacant buildings could be brought back into residential use.
- 10.131 The best use for a listed building is that for which it was built. In most cases this use can satisfactorily be continued, but some buildings were purpose designed for uses that are no longer required and if left empty, neglect becomes a considerable danger. In these circumstances, change of the original use of an historic building may be suitable, if it will result in the satisfactory preservation of the building and if it is consistent with other policies of the Plan. Some changes of use may require subsequent alterations which will adversely affect the building. The implications of the change of use will be taken into account.
- 10.132 The general presumption is that all buildings on the statutory list will be preserved because of their special architectural and/ or historic interest. There may, however, be a few exceptional cases where the balance of needs on planning grounds and the comparative quality of the existing and proposed buildings is such that permission for demolition or part demolition may be granted subject to the approval of the Secretary of State. In considering each case, the viability tests set out in PPG15: Planning and the Historic Environment will be applied. In addition to the requirements set out in DES 10 (A), the City Council may require applications for listed building consent to be accompanied by an assessment of the special architectural and historic interest of the building and of how this will be affected by the proposals.

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10.133 In considering applications for development affecting listed buildings the City Council will seek to ensure that

- a) there is no loss of important historic fabric
- b) the overall effect of a proposal is not detrimental to the architectural or historic integrity or detailing of the building
- c) the alterations are entirely in accordance with the period, style and detailing of the original building or with later alterations of architectural or historic interest
- d) existing detailing and important later additional features of the building will be preserved, repaired or, if missing, replaced
- e) all works are designed in a correct scholarly manner
- f) the alterations or extensions relate sensitively to the original building
- g) the historic roof structure is preserved in situ

and will apply sustainable design principles which do not conflict with the above.

10.134 The City Council will encourage the preservation of the historic structure of listed buildings. However, it is recognised that this should be considered in the context of the requirements of applicants and owners. Proposals for structural repair should be prepared in the knowledge that disturbance caused by major works can turn minor weaknesses into serious defects requiring further works which in turn can further disturb the structure, perhaps putting adjoining buildings at risk. In these circumstances alterations should normally be restricted to a modest scale. The Council will not necessarily accept that minor defects, such as slightly sloping floors, are a justification for major reconstruction works. Where strengthening works to stabilise the structure of a building are necessary, they should be carried out with the least possible disturbance to the historic fabric of the building. In some cases involving rebuilding behind existing facades, structural failure has occurred. The City Council is determined that this should be avoided in the future. Experience has shown that while left undisturbed, many old buildings will usually continue to give adequate service. At all times the onus will be placed on the applicant to demonstrate that alterations, extensions and other structural works to listed buildings can be carried out without putting the retained historic fabric at risk.

10.135 In most cases where they are of architectural or historic interest the City Council will expect the retention of not only the main structural walls, but also original chimney breasts and staircases and other items such as original floors, major structural beams and the roof structure. All of these features are important elements of the historic building. In general, the City Council will encourage the retention and repair, rather than the replacement, of historic structure and fabric.

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- 10.136 In some specific cases, where demolition is agreed, particular attention will need to be paid to the implications that it may have on the stability of the building and adjoining properties.
- 10.137 The City Council may add conditions to a listed building consent involving demolition works, requiring the recording of the fabric affected and the salvage and reuse of materials.
- 10.138 Repairs, alterations and extensions are sometimes necessary to modernise or adapt a listed building. Such works, even if very small in scale, can irreparably damage the architectural integrity of a valuable building. Continuity and the preservation of the original fabric are always important for listed buildings. Where they are of architectural or historic interest, the presumption will be in favour of retaining all original features of interest. However, sustainable design principles should also be considered to address in particular energy conservation and the use of natural resources.
- 10.139 Where they are of architectural or historic interest, the presumption will be in favour of retaining all original internal and external decorative features such as fireplaces, windows (including shopfronts) external and internal doors, panelling, window boxes and shutters, staircase balustrades and other decorative woodwork, decorative ironwork, tiles, plaster and stucco work and other features of importance such as roof cresting and leadwork.
- 10.140 The City Council is aware of the danger of architectural theft and has published a guidance note on this subject for owners of historic buildings. Increased security measures on site may be necessary to minimise the risk of theft during building works. Conditions may be attached to listed building consents to ensure that any valuable interior features that are removed during works, are properly reinstated. In some cases features may have deteriorated beyond repair. Where they cannot be salvaged, they should be replaced in facsimile and where they are missing, they should be restored, or replaced with appropriate alternative designs.
- 10.141 The original plan forms of historic buildings are also of importance and should not be compromised by unsympathetic alterations or extensions. Rear extensions which span the full width of the building will rarely be acceptable, except in some circumstances at basement level. City Council will resist proposals for lateral conversion between historic buildings which compromise their original plan forms or adversely affect the internal appearance of important rooms or spaces. In general, it will not be acceptable to make breaches in the party wall between historic buildings on the ground and first floors or in other sensitive locations.
- 10.142 Where repair, alteration or extension works are necessary, they must relate sensitively to the original building and will require craftsmanship and professional skill of a high standard. In almost all cases the materials used

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for alterations, extensions or repairs should match the original. The use of non-traditional materials will not normally be acceptable. The City Council's policies for listed buildings, concerning matters unrelated to development for which planning permission is required, are set out in its supplementary guidance 'Repairs and Alterations to Listed Buildings' (1996).

- 10.143 Changes of use, alterations or extensions to listed buildings may have implications in terms of fire precautions and other requirements concerning standards of the Building Regulations. The City Council may refuse permission if such alterations adversely affect the architectural or historic interest of a listed building. In some exceptional cases, it may be possible to seek relaxations in order to preserve the architectural and historic interest of the building. In all cases such works should be carried out sensitively and should relate sympathetically to the original building.
- 10.144 Setting of a listed building is also of great importance and should not be adversely affected by unsympathetic neighbouring development. Development which adversely affects the setting of a listed building or an important view of a listed building, will not normally be permitted. Some of these views of listed buildings will be recorded in the City Council's conservation area audits, but not all. For example, where listed buildings are outside conservation areas. English Heritage will be consulted on such applications.
- 10.145 The City Council's relevant supplementary planning guidance with respect to listed buildings is set out in 'Repairs and Alterations to Listed Buildings' (1996) and 'The Protection of Historic Buildings in Westminster' (2000). The former includes the City Council's supplementary planning guidance with respect to works to listed buildings which are not development, such as internal works. Advice with respect to architectural theft is included in 'Architectural Theft' (2000).

Reasons

- 10.146 The City Council considers that listed buildings make an important contribution to the townscape and architectural heritage of Westminster and attaches the utmost importance to their preservation, protection and correct maintenance. There are approximately 11,000 listed buildings in Westminster, all of which are of special architectural or historic merit and consent is required for any works which affect their special interest. The City Council may recommend to the Secretary of State additions to the list from time to time as further buildings are recognised as being of special architectural or historic interest. A building preservation notice may be placed on a building if necessary, pending its addition to the list.

DES 11: SCHEDULED ANCIENT MONUMENTS, AREAS AND SITES OF ARCHAEOLOGICAL PRIORITY AND POTENTIAL

Aim

10.147 To identify archaeological remains of national and local importance, conserve them in their settings, and provide public access to them. Where new development is proposed on sites of archaeological potential, to ensure adequate archaeological impact assessment, followed by appropriate provision for preservation or investigation, recording, and publication.

POLICY DES 11: SCHEDULED ANCIENT MONUMENTS, AREAS AND SITES OF ARCHAEOLOGICAL PRIORITY AND POTENTIAL

(A) Scheduled Ancient Monuments

Permission for proposals affecting the following Scheduled Ancient Monuments, or their settings, will be granted providing that their archaeological value and interest is preserved:

- 1) the Chapter House and Pyx Chamber in the Cloisters, Westminster Abbey**
- 2) the Jewel Tower.**

(B) Areas and Sites of Special Archaeological Priority and Potential

Permission will be granted for developments where, in order of priority:

- 1) all archaeological remains of national importance are preserved in situ**
 - 2) remains of local archaeological value are properly , evaluated and, where practicable, preserved in situ**
 - 3) if the preservation of archaeological remains in situ is inappropriate, provision is made for full investigation, recording and an appropriate level of publication by a reputable investigating body.**
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Policy application

10.148 There are three categories of archaeological remains. In order of importance they are:

- a) Scheduled Ancient Monuments: nationally important remains which are scheduled under the Ancient Monuments and Archaeological Areas Act 1979
- b) Areas of Special Archaeological Priority: areas rich in archaeological remains, where ground works are likely to reveal archaeological remains
- c) Sites of Archaeological Significance and Potential: areas where archaeological remains are known or thought likely to exist.

10.149 These locations are listed in the Sites and Monuments Record maintained by English Heritage. The Areas of Special Archaeological Priority are Lundenwic and Thorney Island; Paddington and Lillestone Villages; Marylebone Village; Tyburn Settlement and Ebury Village. The archaeological data produced by the Museum of London and English Heritage provide more detailed information, including further sites and areas of archaeological significance and potential within Westminster. Areas of Special Archaeological Priority are illustrated on Maps 10.3-10.7. Information on these and other sites of archaeological priority and potential are available from the Greater London sites and monuments record maintained by English Heritage.

10.150 In considering applications for development of land with archaeological potential, the City Council will require an archaeological assessment detailing the potential impact of development upon surviving archaeological remains. Should archaeological evaluation and investigations be required, it must be undertaken in accordance with a written scheme of investigation approved by the City Council. The Greater London Archaeology Advisory Service provides guidance papers detailing these procedures. With respect to policy DES 11 B (3), investigation may include a watching brief and, or, a full excavation.

10.151 The City Council will seek professional archaeological advice as appropriate and will encourage applicants proposing development to do the same. Where development may affect land of archaeological priority or potential, the City Council will expect applicants to have properly assessed and planned for the archaeological implications of their proposals. In this way the Council and the applicant will have sufficient information upon which an informed planning decision, incorporating appropriate archaeological safeguards, may be based. Such safeguards normally consist of design measures to ensure the permanent preservation of archaeological remains in situ or, where that is not appropriate, archaeological rescue investigations in advance of development. The results and finds from archaeological investigations also need to be analysed, interpreted, presented to the public and curated for future use. Attention is drawn to the advice contained within the code of practice prepared by the British Archaeologists' and Developers Liaison Group.

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Reasons

- 10.152 Archaeological remains are important evidence of the City's past and are a valuable historical, educational and tourist resource. They are finite and fragile; once lost, they cannot be recovered. The City Council considers that the archaeology of Westminster is a national as well as a local asset and that its preservation is a legitimate objective, against which the needs of development must be carefully balanced and assessed. The destruction of such remains should be avoided wherever possible and should never take place without prior archaeological excavation and record.
- 10.153 The most important archaeological remains are scheduled and are protected under the Ancient Monuments and Archaeological Areas Act 1979. Where works to such sites and their setting are proposed, including repair, scheduled ancient monument consent is required.
- 10.154 The London Plan states at Policy 4.C.10 that boroughs “should give careful consideration to the relationship between new development and the historic environment including archaeological areas, including tidal foreshores...”. National planning guidance is set out in PPG16: Archaeology and Planning, issued in November 1990.
- 10.155 The preservation of Westminster's archaeological heritage is a material planning consideration and applicants will need to show that proposed development is compatible with the objectives of the City Council's archaeological policy. The Council will wish to implement that policy under relevant legislation and statutory guidance and by means of legal agreements and planning conditions.

DES 12: PARKS, GARDENS AND SQUARES

Aim

- 10.156 To preserve or enhance the appearance and integrity of open spaces and their settings.

POLICY DES 12: PARKS, GARDENS AND SQUARES

(A) Development adjacent to open spaces

Permission will only be granted for proposals adjacent to parks, public and private squares which:

- 1) safeguard their appearance, wider setting and ecological value**
- 2) preserve their historic integrity**
- 3) protect views into and out of these spaces**

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- 4) **will not project above existing tree or building lines.**

(B) Development on or under open spaces

Permission will not be given for development on or under those parks, landscaped spaces and public or private gardens, where the open spaces:

- 1) **form an important element in the townscape, part of a planned estate or street layout**
- 2) **are characteristic features of conservation areas**
- 3) **provide the setting of a listed building**
- 4) **are of significant ecological value.**

Policy application

10.157 The City Council will resist any development of land forming part of the Royal Parks or public and private squares, and any developments that adversely affect their integrity or appearance. The City Council will seek to protect existing views out from the parks, by resisting development which would project above the existing tree or building lines, so maintaining the existing relationship between trees, buildings and sky. It will also resist development on public and private garden areas which form the setting of a listed building or which form the gaps between buildings and are valued as part of the townscape of a conservation area. Planning permission is only likely to be granted for development in parks, gardens and squares if the development is essential and ancillary to maintaining the land as public open space. Policies ENV 14 and 15 also apply and set out a presumption against inappropriate development and further criteria to maintain the open character of the land.

10.158 Underground structures, for example car parks, invariably require development above ground which can be physically and visually intrusive, diminishing the qualities of the land above. Long term damage to existing trees may result. Furthermore, excavation and development and under a park or garden can have significant archaeological implications.

Reason

10.159 The City of Westminster is a densely developed urban area where open spaces are of vital importance in enhancing the quality of life and the overall appearance of the City. There are four major types of open spaces in Westminster:

- a) the Royal Parks
- b) public and private squares
- c) public and private gardens; and
- d) River Thames. (See also Chapter 11: River Thames.)

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- 10.160 The City Council regards the Royal Parks and public and private squares as essential elements of the townscape. Public and private gardens, whether visible from the street or other public thoroughfares, or hidden behind terraces or other buildings, are also of great importance in providing breathing space and a sense of spaciousness. They are of particular importance when they form part of a planned estate development or street plan or where they provide the settings for listed buildings. Frequently, garden space will be visible through the gaps between buildings and these views provide an important element in the townscape.
- 10.161 Most of the squares are protected under the terms of the London Squares Preservation Act 1931. The Royal Parks and many of the squares are on the non-statutory register of gardens of special historic interest held at English Heritage. Protected and registered parks and gardens include Belgrave Square, Berkeley Square, Buckingham Palace Gardens, Chester Square, Eaton Square, Eccleston Square, Green Park, Grosvenor Square, Hanover Square, Hyde Park, Kensington Gardens, Manchester Square, Parliament Square, Portman Square, Regents Park, St. James's Park, St. James's Square, Soho Square, Trafalgar Square, Victoria Embankment Gardens, Victoria Tower Gardens, Warwick Square and Wilton Crescent.
- 10.162 National policy in PPG 15: Planning and the Historic Environment requires the City Council to protect registered gardens when determining planning applications. This will include resisting developments on adjoining land or land in close proximity which would reduce the feeling of spaciousness in the open space or otherwise adversely affect their setting and appearance which may include views from them.
- 10.163 Areas of private open space in and around residential blocks and estates are important in amenity terms, contributing to the quality of life of residents and providing valuable and readily-supervised play space for children close to their homes. The need for amenity reasons to protect existing and provide new private open space in large residential schemes is considered under policy H10 in Chapter 3: Housing and policies ENV 13 and ENV 15 in Chapter 9: Environment.
- 10.164 The City Council's relevant supplementary planning guidance with respect to historic parks and gardens is set out in 'Historic Parks and Gardens in Westminster' (1997).

DES 13: CANALS

Aim

10.165 To enhance and improve access to, and the amenity of, the Grand Union and Regent's Canals.

POLICY DES 13: CANALS

(A) Access and activity

Permission will be granted for developments which provide:

- 1) new public access routes to and alongside the canal and its towpath**
- 2) environmental improvements including improved footway surface treatments**
- 3) uses devised and managed to sustain or enhance canalside interest, vitality and ecological value.**

(B) Alignment and form

- 1) Permission will be granted for developments which:
 - a) are no higher than neighbouring canal-side buildings, unless significant benefit to the local townscape is thereby demonstrated**
 - b) are orientated to the canal and adjoining public spaces**
 - c) safeguard or enhance the setting, important views of the canal and ecological value.****
 - 2) Permission will not be granted for developments that create any boardwalks or other projections over or into the canal or towpath, unless significant benefits to the canal setting accrue.**
 - 3) The provision of moorings, for both permanent and visitor use, and facilities for boaters, will be encouraged in locations where these will not hinder navigation of the canal, and will be welcomed as a planning advantage on the canalside sites.**
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Policy application

- 10.166 The provision of attractive and safe public access routes through to the canal is a priority and extensions or improvements to the towpath will be sought in connection with all new canalside development. Other improvements such as signing, seating, public art, information boards, planting, towpath surfacing, improvement of walls and buildings overlooking the canal and lighting or other community safety measures may all be sought in association with developments. The City Council may seek legal agreements to secure safeguarded maintenance arrangements for towpaths and leisure areas of the canals where appropriate.
- 10.167 The provision of moorings and facilities for boats will be encouraged in suitable locations. However, floating commercial uses, such as offices and hotels, would not be appropriate.
- 10.168 In order to secure an attractive environment and ensure that views of the canals and adjoining conservation areas are safeguarded, new buildings should respect and enhance the character of the canalside. They must frame the canals and not turn their backs on the waterways and surrounding public places, nor encroach on the waterspace. New buildings should normally be no higher than existing neighbouring buildings unless it can be demonstrated that a taller building would have significant benefits to the townscape. Boardwalks or other similar extensions over the waterspace will be appropriate only in a few locations such as parts of north-west Westminster where they add interest and enhance the setting of the canal without adversely affecting boaters, residents or any areas of nature conservation interest.
- 10.169 There may be instances where the provision of greater access and more activity would conflict with the aim to safeguard or enhance ecological value. In such instances careful assessment of the potential impacts will be made and it may be necessary to strike an acceptable balance between the two aims.
- 10.170 In recognition of the importance of protecting and enhancing the canalside environment, the City Council requires that detailed, rather than outline, applications be submitted on all canalside sites.

Reason

- 10.171 Westminster's canals are considered an important asset in terms of character and amenity value. They have a diverse character and quality, uniting varied townscape, and have great potential to provide an interesting and attractive environment, as well as providing an area for nature conservation. The full potential of the canals is unrealised, however, with poor access in many places and large stretches hidden from public view. The provision of attractive and safe public access routes through to the canals and along their towpaths is therefore a priority. To further ensure the canalside remains an

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interesting and safe place, the City Council wishes to see uses which complement the recreational and amenity qualities of the canals, as well as uses which support and sustain public interest and activity over a long period of the day.

DES 14: STRATEGIC VIEWS

Aim

10.172 To protect and enhance strategic views of St Paul's Cathedral and the Palace of Westminster.

POLICY DES 14: STRATEGIC VIEWS

(A) Viewing Corridor

Permission will normally be refused for developments within the Viewing Corridor where:

- 1) the height of the Development Plane is exceeded by the proposed development and the Strategic Views are interrupted, or**
- 2) upon redevelopment, existing tall buildings are not replaced by lower buildings.**

(B) Wider Setting and Background Consultation Areas

Permission will only be granted for developments within the Wider Setting and Background Consultation Areas, where:

- 1) the wider setting of the Viewing Corridor is safeguarded**
 - 2) the background of the view is not interrupted by prominent or visible schemes**
-

Policy application

10.173 The strategic views are defined by an annex to Strategic Guidance for London Planning Authorities issued by the Secretary of State in 1991, (RPG3a: Supplementary guidance for London on the protection of strategic views) which forms the basis for these policies. This guidance will be replaced, in due course, by the London View Management Framework prepared by the Mayor of London. Until this has been published, RPG3a will continue to be used. (Policy DES 14 will be reviewed after the Mayor's View Management Framework has been published). The Viewing Corridor is a wedge shaped area with its apex at the viewpoint and extending to and beyond the subject, either the Palace of Westminster or St. Paul's Cathedral.

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The Development Plane is defined by the height of the viewpoint and the base of the lower drum of St. Paul's Cathedral or the general roofline of the Palace of Westminster.

- 10.174 Within the Viewing Corridors, developments above the Development Plane will not normally be permitted. This will include proposed developments in locations where the views are obstructed by existing buildings which exceed the height limits. Developments below the Development Plane will not affect the Strategic View.
- 10.175 The characteristic foreground and setting of the views, including other historic landmarks and features, are important and the City Council wishes to ensure that no development adversely affects these, even if not obstructing specific aspects of St. Paul's or the Palace of Westminster. The City Council will thereby seek to protect and enhance other historic landmarks and features which may appear in the setting of the views of the Palace of Westminster and St. Paul's Cathedral.
- 10.176 Materials of proposed buildings within the area of protection, the wider setting and the backdrop can significantly alter views. Careful consideration of building materials, finishes and tone can make a proposal more sympathetic to long distance views.
- 10.177 Upon redevelopment the opportunity should be taken to reduce the scale and impact of existing buildings which exceed the Development Plane of the strategic views.
- 10.178 The Council will consult other relevant local authorities and bodies on any application for development within the viewing corridors defined on the Proposals Map, which exceed the Development Plane. The Mayor of London, the Commission for Architecture and the Built Environment and English Heritage and other amenity groups will also be consulted as appropriate.
- 10.179 Where no agreement can be reached among planning authorities on development proposals which significantly affect the views, the proposal will be referred to the Mayor of London.
- 10.180 Where appropriate, applicants will be expected to provide montage studies of the likely impact of a proposal on the views. The City Council's relevant supplementary planning guidance with respect to strategic views is set out in 'Strategic Views in Westminster' (1994).

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Reasons

10.181 The London skyline and long distance views of it are important to London's townscape and historic character. Strategic views of St. Paul's Cathedral and the Palace of Westminster are of particular historic importance and must be protected from obtrusive development.

DES 15: METROPOLITAN AND LOCAL VIEWS

Aim

10.182 To protect and enhance all metropolitan and local views which contribute to Westminster's townscape and historic character.

POLICY DES 15: METROPOLITAN AND LOCAL VIEWS

Permission will not be granted for developments which would have an adverse effect upon important views of

- (A) listed buildings**
- (B) landmark buildings**
- (C) important groups of buildings**
- (D) monuments and statues**
- (E) parks, squares and gardens**
- (F) the Grand Union and Regent's Canals**
- (G) the River Thames.**

Policy application

10.183 Views of listed buildings, landmark buildings, important groups of buildings, monuments and statues, parks, squares and gardens, the Grand Union and Regent's Canals and the River Thames can be of metropolitan or local significance. Metropolitan views include both views from Westminster to other parts of London, and views from other parts of London into Westminster, such as views along and across the River Thames. They also include views within and across Westminster, particularly views of landmark buildings of metropolitan importance. For example the view eastwards from the Serpentine Bridge towards the Palace of Westminster, or the view along Regent Street towards All Souls Church.

10.184 Local views are by definition more localised and can be of natural features, skylines, landmark buildings and structures, groups of buildings, parks, open spaces, streets and squares. They are of local significance, making a valuable contribution to the character of the local area. There are many local views within each conservation area but there are relatively few which are of metropolitan status. Important local views will be identified within the City Council's Conservation Area Audits.

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10.185 The City Council will resist any development that would have a damaging impact on such metropolitan and local views and will seek to ensure that any development proposal is compatible with these views in terms of setting, scale and massing. Permission will not be given for developments that:

- a) impinge on important views or skylines
- b) would appear too close or high in relation to a landmark or historic feature or building, or
- c) would appear behind, and mar the silhouette of, a landmark or historic feature or building.

10.186 Applicants should provide accurate illustrative material to show the potential impact of proposals on metropolitan or local views when appropriate. The policy will be applied equally to both types of view, but metropolitan views have greater status because of their wider recognition and because of the importance of the buildings, spaces and features involved.

Reasons

10.187 Metropolitan and local views of important listed and other landmark buildings or groups of buildings, monuments and statues are worthy of protection, as are views through and from the Royal Parks, London Squares, historic parks and gardens, and along or across the River Thames (see Chapter 11) and Westminster's canals.

DES 16: WORLD HERITAGE SITE

Aim

10.188 To safeguard the World Heritage Site.

POLICY DES 16: WORLD HERITAGE SITE

Permission will only be granted for developments that protect and conserve the character, appearance, setting and ecological value of the World Heritage Site

Policy application

10.189 Although no additional statutory controls follow from the designation of a World Heritage Site, PPG15: Planning and the Historic Environment states, in paragraph 2.22, that the designation highlights the outstanding international importance of the site which should be a key material consideration to take into account when determining planning and listed building consent applications. Great weight is placed upon the need to protect them for future generations. Development proposals affecting these sites or their settings need to be compatible with this objective and require careful scrutiny, often by

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way of formal environmental assessments, to ensure that their immediate and long term impact are fully evaluated.

Reason

10.190 The member states of United Nations Educational Scientific and Cultural Organisation UNESCO adopted the Convention concerning the Protection of World Cultural and Natural Heritage in 1972. This Convention provided for the creation of the World Heritage Committee which, in 1987, inscribed the area formed by the Palace of Westminster, St Margaret's and Westminster Abbey as a World Heritage Site, now one of twenty six in the United Kingdom. This area has thus been recognised as being of 'outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view'.

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APPENDIX 10.1

Supplementary planning guidance on design matters

<i>Publication/Date</i>	<i>Design Policy</i>
Access for All, A Guide to providing, 1995	DES 1
Advertisement Design Guidelines, 1992	DES 8
Archaeology and Planning in Westminster, A Guide to, 1995	DES 11
Architectural Theft: Westminster's Architectural Heritage at Risk, 2000	DES 10
Board Watch: A Guide to the Design and Display of Estate Agents' Boards, 2000	DES 8
Bond Street: A Guide to Shopfronts and Advertisements, 1992	DES 5, 8
Conservation Areas: A Guide for Property Owners, 1992	DES 9
Conservatories: A Guide to Design and Planning Procedures, 1994	DES 5, 6
Design Guidelines for Shopfront Security, 1995	DES 5, 9, 10
Design Matters in Westminster, 2001	DES 1-16
Designing Out Crime in Westminster, 1998	DES 1
Development and Demolition in Conservation Areas, 1996	DES 9
Ennismore Garden Mews: A Guide to Alterations, 1995	DES 5, 6
Façade Cleaning, 1995	DES 9, 10
Flags in Soho, 2005	DES 8
Food and Drink Premises: Planning Guide 1999	DES 5, 8, 9
Front Garden Parking: A Guide to Legislation and Design, 1992	DES 7
Historic Parks and Gardens in Westminster, 1997	DES 12
Lighting up the City: A Good Practice Guide 1994	DES 7
Listing of Buildings of Special Architectural or Historic Interest, The, 1996	DES 10
Mews: A Guide to Alterations, 1992	DES 5
Molyneux Street Conservation Area: A Guide to Roof Extensions, 1992	DES 6
Paddington Special Policy Area: Public Realm Strategy, 2003	DES 1, 2, 7
Pimlico Design Guide, The, 1992	DES 9
Plant and Air Conditioning Equipment, 1993	DES 5, 7, 9 10
Protection of Historic Buildings in Westminster, The, 2000	DES 10
Public Art in Westminster, 1994	DES 7, 12
Public CCTV Systems: Guidance for Design and Privacy, 1998	DES 5, 6
Queen's Park Estate Design Guide, The, 1995	DES 9
Railings in Westminster: A Guide to their Design, Repair, and Maintenance 1995	DES 7, 9, 12
Regent Street: A Guide to Shopfronts and Advertisements, 1993	DES 5, 8
Relton Mews, SW7: Guidelines for Alterations, 1992	DES 5, 6
Repairs and Alterations to Listed Buildings, 1996	DES 10
Roofs: A Guide to Alterations and Extensions on Domestic Buildings, 1995	DES 6
Satellite Dishes and Other Telecommunications Equipment, A Guide to the Siting of, 1998	DES 5, 6
Security Cameras and other Security Equipment, A Guide to the Siting of, 1995	DES 1, 5
Shopfronts, Blinds and Signs: A Guide to their Design, 1993	DES 5, 8
Shopfront Security, Design Guidelines for, 1995	DES 1, 5
Statues, Sculptures and Monuments, 1998	DES 7
Strategic Views in Westminster, 1994	DES 4
Stucco: A Guide to Care and Maintenance, 1994	DES 9, 10
Sustainable Buildings, 2003	DES 1
Tables and Chairs on the Highway, Guidelines for the placing of , 2005	DES 1, 5
Trees and Other Planting on Development Sites, 1996	DES 1-5, 7, 12
Waste and Recycling Storage Requirements, 2005	DES 1
Wilton Row and Old Barrack Yard, 1994	DES 5,6

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APPENDIX 10.2

Article 4 directions

The following is a list of the premises in the City covered by Article 4 directions, the works for which planning permission is specifically required in each case, and the date of the direction.

a) **1-47 (odd) and 2-56 (even) Abbey Gardens, NW8**

Alterations to facades facing the highway (including parts not visible from street level); erection or alteration of gates, fences etc.; the erection or alteration of a building in the curtilage; painting of the exterior, except doors. *Date of direction:* December 1969.

b) **1-27 (all) Bridstow Place, W2**

Alterations to facades; erection or alteration of gates, fences etc.; the erection of a building or hardstanding in the curtilage; means of access to the highway; painting of facades. *Date of direction:* May 1975.

c) **1-37 (odd) Bristol Gardens, W9**

Enlargement or material alteration of dwelling house; construction of outbuildings or hardstandings, erection of means of enclosure, means of access to highway; painting of buildings. *Date of direction:* September 1981.

d) **6-10 (all) Moncorvo Close, SW7**

Enlargement or improvement of any part of the dwelling house or the erection or alteration of a building in the curtilage. *Date of direction:* December 1984.

e) **Queen's Park Estate, W10 (Most properties)**

Alterations to facades, visible from the highway; erection of a porch; change of roof materials or colour; erection of domestic oil storage tanks where visible from the highway; erection of gates, fences etc. visible from the highway; painting of the exterior visible from the highway (including boundary walls, fences, gates etc.); installation, alteration or replacement of a satellite antenna visible from the highway. *Date of direction:* November 1992

f) **1, 4, 8, 11, 12 and 13 Relton Mews, SW7**

Painting or repainting of the exterior. *Date of direction:* January 1993.

g) **4 Relton Mews, SW7**

Enlargement, improvement or other alterations. *Date of direction:* January 1993.

h) **Garden areas fronting 168-208 (even) Sussex Gardens, W2**

Erection or alteration of the means of enclosure of the gardens. *Date of direction:* August 1982.

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APPENDIX 10.3: Status of conservation area appraisals

Table 1 below gives details of the conservation areas for which the City Council has completed and has published an audit of character and appearance as at September 2006. These audits are in use as a material consideration in the determination of planning applications in or close to conservation areas and to enable the City Council to meet its duty in s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give 'special attention to the desirability of preserving and enhancing the character and appearance' of those areas.

Table 1: Conservation Area audits, in operation

<i>Ref</i>	<i>Conservation Area</i>	<i>Date of adopted audit</i>
31	Adelphi	March 2003
38	Aldridge Road Villas	April 2004
6	Bayswater	July 2000
13	Charlotte Street West	July 2002
54	Chinatown	December 2005
43	Churchill Gardens	April 2005
44	Cleveland Street	April 2006
33	East Marylebone	March 2006
46	Fisherton Street Estate	September 2004
24	Grosvenor Gardens	April 2006
39	Hanway Street	March 2006
50	Lisson Grove	January 2003
40	Medway Street	April 2006
28	Millbank	January 2005
7	Molyneux Street	August 2002
35	Paddington Green	April 2003
27	Pimlico	April 2006
8	Portman Estate	November 2003
29	Queen's Park Estate	April 2005
51	Regency Street	April 2006
32	Savoy	March 2003
21	Smith Square	January 2005
14	Soho	December 2005
16	Strand	January 2003
15	St James's	November 2002
18	Trafalgar Square	February 2003
5	Westbourne	February 2002
19	Whitehall	December 2003

Table 2 below lists conservation areas for which the City Council, at September 2006, had yet to complete and publish an audit of its character and appearance. The City Council expects to publish audits of the areas marked with an asterisk during 2007. In all cases the City Council has published a leaflet and a directory, but has yet to prepare and publish an audit, the third stage in the appraisal process.

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Table 2: Conservation Area Audits to be prepared

<i>Ref</i>	<i>Conservation Area</i>
36	Albert Gate
23	Belgravia
25	Birdcage Walk*
34	Broadway and Christchurch Gardens*
15	Covent Garden
45	Dolphin Square
4	Dorset Square
46	Hallfield Estate*
9	Harley Street
47	Haymarket
3	Maida Vale
11	Mayfair*
22	Knightsbridge
37	Knightsbridge Green
42	Leicester Square
49	Lillington Gardens
52	Peabody Avenue
53	Queensway*
2	Regent's Park
9	Regent Street
41	Royal Parks
1	St John's Wood*
10	Stratford Place
3	Vincent Square
34	Westminster Abbey and Parliament Square*
26	Westminster Cathedral
