

Appeal Decision

Site visit made on 6 September 2016

by Elizabeth Pleasant DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 September 2016

Appeal Ref: APP/K5600/W/16/3153961

Southbank International School, 36-38 Kensington Park Road, London W11 3BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Cognita Schools Ltd against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/02805, dated 5 May 2016, was refused by notice dated 30 June 2016.
 - The development proposed is install 0.5 metre high railings on top of existing walls to front and side elevation, build up existing piers by 0.5 metre and re-use existing pier caps along with replacement gates to be 1.9 metres in height.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of Ladbroke Conservation Area.

Reasons

3. The appeal site comprises a semi-detached villa pair which is in use as a school. It is located within Ladbroke Conservation Area on a part of Kensington Park Road which is generally characterised by residential properties in the form of mansion blocks and terraces. These properties are generally aligned, with frontage gardens enclosed by predominantly railings and boundary walls.
4. The adopted Ladbroke Conservation Area Appraisal, 2015 (CAA) states that the design of many of the terraces, groups and villa pairs or triplets is usually unique to that particular group. This is also true of their boundary treatment and clearly evident within Kensington Park Road. There is a general consistency in the height of the enclosing walls and railings within the street, and these provide a distinct rhythm to the street scene. The individual design of the walls and railings is however also distinctive to their character group.
5. The appeal premises form one of two neighbouring villa pairs which sit between a terrace and mansion blocks. These villa pairs both display brick boundary walls which are the same height and incorporate gateways formed by similar square piers with chamfered caps. This boundary treatment forms a harmonious frontage to the properties which contribute significantly to the character and appearance of Kensington Park Road.

6. The appeal proposal would increase the height of the gate pier and introduce 0.5m high railings on top of the sections of wall that extend between them. New 1.9m high painted steel palisade gates would also be provided within the gateways. I recognise that the appellant has chosen this design to respond to the existence of other railings within the street and also to provide a more open means of enclosure, however their overall scale and appearance would not be characteristic of the form and height of other front boundary treatments in Kensington Park Road and would contrast sharply with the simple front boundary wall of its neighbour.
7. The CAA recognises that the introduction of non-original style boundary treatments can have a harmful impact on the character and appearance of the conservation area and in particular villa pairs suffer mismatched treatment. By reason of its overall height and design the proposed development would appear visually incongruous and interrupt the rhythm and pattern of the existing traditional boundary treatments that are prevalent within Kensington Park Road. Moreover, it would diminish the positive contribution that the appeal site and neighbouring villa pair make to the street and conservation area, by reason of their distinctive form and consistent original boundary treatment.
8. I have had regard to both national and local policy which supports the provision of new schools, and I have taken into consideration the requirement of the school to safeguard its children. However, the harm I have identified would be permanent, and I am not persuaded that there are not other solutions available to deal with safeguarding concerns. The appellant has indicated that revisions to the design of the wall to incorporate further brickwork would be possible, however such revisions are not for my consideration and I must determine the appeal on the basis of the application details which were before the Council.
9. I conclude that the appeal proposal would cause significant harm to the character and appearance of Ladbroke Conservation Area. It would cause less than substantial harm to the Conservation Area as a heritage asset. This harm is not outweighed by any public benefits, including those set out above. The proposal is therefore contrary to policies in the National Planning Policy Framework which seek to conserve and enhance the historic environment and conflicts with Policies CL1, CL2, CL3 and CL6 of the Royal Borough of Kensington and Chelsea Consolidated Local Plan, 2015 (Local Plan) which seek, amongst other things, to achieve good design which respects its existing context, contribute positively to the townscape and preserve the character and appearance of Conservation Areas. I find no conflict however with Policy CL11 or CR4 of the Local Plan which seek to protect open views and vistas beyond the immediate street and require improvements to the public realm.

Conclusion

10. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR