

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: 27 September 2016

Appeal Ref: APP/K5600/W/16/3153428

47 Ladbroke Grove, London W11 3AR

- 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 Mr Philippe Lachenaz against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/15/07060, dated 3 November 2015, was refused by notice dated 30 December 2015.
 - The development proposed is alterations to rear elevation, new windows and spiral stair.
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Decision

1. The appeal is dismissed.

Procedural Matters and Main Issue

2. The description of the development is taken from the application form. The appellant has advised that since the Council's decision they have subsequently approved a separate application for the new windows. Furthermore it is clear from the Council Officer's Report that their concern related solely to the proposed spiral stair. I therefore consider the main issue in this case to be the effect of the spiral stair on the character and appearance of the host property and Ladbroke Conservation Area.

Reasons

3. The appeal property forms part of a 5-storey Victorian Terrace of former town houses which back onto Hanover Gardens and have access to this communal garden via a private patio area. Although the terrace has been subdivided into flats, it still retains its original simple and attractive form. Moreover, with the exception of the installation of the occasional Juliette balcony, the terrace remains free from any unsympathetic additions or adornments and makes a positive contribution to Ladbroke Conservation Area. This contribution is recognised in the Ladbroke Conservation Area Appraisal, 2015.
 4. The proposed staircase would provide access from the ground floor living room to the rear patio which can currently only be accessed through a lower ground floor bedroom. I understand that this would be a more desirable arrangement, and it is evident that the appellant has considered carefully the design of the staircase to minimise its visual impact. However, despite the vegetation, the proposed staircase would be clearly visible from Hanover
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Gardens which has a communal use. I have considered the assessment the appellant has undertaken having regard to English Heritage Conservation Principles, Policies and Guidance, 2008; however it is clear to me that the proposed staircase would be a discordant element on the rear elevation of the terrace which externally retains its original simple form and attractive uninterrupted rear façade.

5. Furthermore, in view of the nature of the accommodation within this terrace, there is a reasonable prospect of other properties wishing to carry out similar developments which cumulatively would further erode the character and appearance of the terrace and the contribution it makes to Ladbroke Conservation Area.
6. I have had regard to the two more modern blocks of apartments that have been developed on either side of this terrace. However, notwithstanding that these properties have a very different appearance to the appeal property; they still display a harmonious rear façade and their original design characteristics. Whilst I recognise that the Council may well have approved other external staircases within the Conservation Area, I do not know the site specific circumstances of these and in any event each case must be considered on its own merits.
7. I conclude that the proposed spiral staircase would cause significant harm to the character and appearance of the host property and 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 the social benefits of providing improved living accommodation. 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, CL3, CL6 and C11 of the Royal Borough of Kensington and Chelsea Consolidated Local Plan, 2015 which seek to ensure, amongst other criteria, that alterations and additions do not harm the character or appearance of the existing building, respond to local context and preserve the character and appearance of the Conservation Area.

Conclusion

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

Elizabeth Pleasant

INSPECTOR