
Appeal Decisions

Site visit made on 10 October 2016

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 1 November 2016

Appeal A: APP/K5600/W/16/3152292 **67 Holland Park Mews, London W11 3SS**

- 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 67 Holland Park Mews Ltd against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/15/08125, dated 18 December 2015, was refused by notice dated 15 February 2016.
 - The development proposed is described as general internal alterations; replacement of existing roof, dormer window and roof-lights, with new roof and roof-lights; adjustment to glazing on east elevation; replacement of garage door and timber screen.
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Appeal B: APP/K5600/Y/16/3152289 **67 Holland Park Mews, London W11 3SS**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by 67 Holland Park Mews Ltd against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref LB/15/08126, dated 18 December 2015, was refused by notice dated 15 February 2016.
 - The works proposed are described as general internal alterations; replacement of existing roof, dormer window and roof-lights with new roof and roof-lights; adjustment to glazing on east elevation; replacement of garage door and timber screen
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Decisions

1. Appeal A: The appeal is dismissed.
2. Appeal B: The appeal is dismissed.

Preliminary Matters

3. Holland Park Mews (Nos 35-67) is a Grade II listed building dating from 1862. It is situated within the Holland Park Conservation Area. No 67, the subject of these appeals, is a two-storey dwelling that lies at the end of the terrace.
4. Listed building consent and planning permission were granted on 21 April 2016¹ for the internal alterations, removal of rooflights and introduction of new ones, replacement of garage door and timber screens at the appeal property. The outstanding matter of disagreement between the main parties

¹ Planning Application Ref: PP/16/01273; Listed Building Application Ref: LB/16/01274

is therefore the proposed roof extension. It is to this issue that these decisions relate.

5. I acknowledge the appellant's request for advice in the event of the appeals being dismissed. However, under the provisions of a s78 and a s20 appeal, I am only able to comment on the proposals before me.

Main Issue

6. The main issue is the effect of the proposal on the special architectural and historic interest of the Grade II listed building and its setting, and, linked to that, whether the proposal would preserve or enhance the character or appearance of the Holland Park Conservation Area.

Reasons

2. The starting point for the consideration of the proposals is Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require that special regard is had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest it possesses. In terms of the Conservation Area, Section 72 (1) of the Act requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the area.
3. The significance of the listed building lies in its age and architectural detailing and also its historic relationship with the substantial villas around it. The Council's Conservation Area Proposals Statement (CAPS) sets out the importance of both the villas and the mews and notes that the 'area forms an important composition which is worth taking pains to preserve as a whole'. The mews are subservient in terms of their scale and appearance to the villas, reflecting their original function.
4. The list description describes the properties as 'buildings of unusual design and marked picturesqueness'. Roofs, including that at no 67, are low with a shallow pitch and are partly concealed by balustrades. The small scale of the buildings, with their unobtrusive and simple roof form, make a positive contribution to the special interest of the buildings and the character and appearance of the conservation area.
5. Policy CL8 of the Council's consolidated Local Plan 2015 requires roof extensions, whether relating to listed or non-listed buildings, to be architecturally sympathetic to the age and character of the building or group of buildings. Advice in CAPS relating to roof extensions in the conservation area is that on a 'Category 1' building, which includes the mews, there should be 'absolutely no change to the roof or dormer'.
6. The extension would result in the removal of a small dormer and, in effect, add another storey across a significant proportion of the roof. Accordingly, it would increase the scale and massing of the building and alter its architectural proportions. Consequently, it would alter the character of the building and undermine its special architectural and historic significance as set out above. The loss in significance of the listed building would therefore also undermine its contribution to the character and appearance of the Conservation Area.

7. I have noted from all I have seen and read that some of the other roofs within the mews have already been extended or altered. However, these examples relate to a relatively small proportion of properties in the mews as a whole. Whilst I have taken into consideration the appellant's view that variety gives the mews its charm, it seems to me that the original buildings had a degree of architectural rhythm and uniformity with which the proposal would be at odds.
8. I acknowledge that the extension has been designed to be set back from the frontage in order to minimise its visual impact. I also accept that because of the narrowness of the street, views of it would be limited. Nevertheless, it would be glimpsed from the approach into the mews and would be clearly apparent from the surrounding villas. Moreover, notwithstanding its visual impact, as set out above, the extension would not be architecturally sympathetic to the age or character of the building.
9. The National Planning Policy Framework (the Framework) requires that great weight is given to a heritage asset's conservation. The more important the asset, the greater the weight should be. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, as in this case, that harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
10. I recognise that the proposal would provide enhanced living accommodation for future occupiers. However, I am unconvinced that in absence of the proposed extension, the building would be unusable as a dwelling. Consequently there are no public benefits that outweigh the harm I have identified, harm which, in accordance with the requirements of the Act and advice in the Framework, must carry significant weight on the negative side of the balance.
11. In addition, for the reasons set out above, the proposal would be contrary to Policies CL1, CL2, CL3, CL4, CL6, CL8, CL11 of the Local Plan which seek in various ways to protect heritage assets and ensure that new development is sympathetic to the character and context of the area.

Conclusion

12. For the reasons set out above, and taking into account all other matters raised, the appeals are dismissed.

Susan Ashworth

INSPECTOR