
Appeal Decisions

Site visit made on 9 February 2017

by Terry G Phillimore MA MCD MRTPI

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

Decision date: 23 February 2017

Appeal Ref: APP/K5600/W/16/3163243 (Appeal A)
20 Walton Street, London SW3 1RE

- 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 First Temple Trust Company Ltd against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/03981, dated 22 June 2016, was refused by notice dated 18 August 2016.
 - The development proposed is construction of terrace behind rear roof parapet at second floor level, with access from existing dormer window.
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Appeal Ref: APP/K5600/Y/16/3162549 (Appeal B)
20 Walton Street, London SW3 1RE

- 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 First Temple Trust Company Ltd against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref LB/16/03982, dated 22 June 2016, was refused by notice dated 18 August 2016.
 - The works proposed are construction of terrace behind rear roof parapet at second floor level, with access from existing dormer window.
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Decisions

1. Appeals A and B are dismissed.

Main Issue

2. The main issue is the effect the proposal would have on the character and special interest of the listed building and the character and appearance of the Thurloe/Smith's Charity Conservation Area.

Reasons

3. The appeal property is part of a terrace of paired houses dating from the mid-19th century which are Grade II listed buildings. The houses of two storeys plus basement and attic are of a formal classical design and stuccoed to the front. The central house in the terrace, No 16, has one extra storey and a colonnade. The terrace backs onto the east end of Beaufort Gardens, from where the rear brick elevations and roof features are visible.
 4. The Conservation Area is a high quality townscape of Victorian speculative building. It displays characteristic set piece street architecture and a
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coherence of design within a number of different styles as these evolved during the period of development. The typical shared details of rear elevations are an important aspect of the uniform architectural treatment. The original strong design form and common features are fundamental to the special interest and heritage significance both of individual buildings, many of which are listed, and the Area as a whole.

5. The appeal property has an existing dormer window in the rear roof slope, with four windows across its width. Although No 16 breaks the roofline and the rear parapet of No 14 is lower, as seen from Beaufort Gardens the existing dormer appears as an isolated and exposed addition that disrupts the general balance of the main roofline of the terrace.
6. With the proposal the front face of the dormer would be altered through the introduction of a part glazed door on the right hand side. New railings across the full width of the dormer on the inner edge of the parapet wall would add an element of clutter which would detract from the existing integrity of the parapet line at the rear. An associated cut out from the main roof to create a terrace area would involve a further loss of original roof form even if not original fabric and notwithstanding that this would be concealed from the street view. These changes would all add to the existing detriment of the dormer and be harmful to the heritage significance of both the building and the Conservation Area as the latter derives from this. While there are some existing terrace railings visible on properties around Beaufort Gardens, the important context in this case is the particular terrace of which the property forms part.
7. The degree of harm would be minor and well below substantial but nevertheless carries considerable weight. National guidance is that in these circumstances the harm should be weighed against the public benefits of the proposal, including securing optimum viable use. The addition of an external amenity area for the property does not amount to a public benefit such as to outweigh the harm in this case. The absence of local objection also does not warrant this harm.
8. The proposal does not accord with the development plan requirements of respect for context and character including of heritage assets, in particular as set out in policies CL 1, CL 3, CL 4 and CL 11 of the Royal Borough of Kensington and Chelsea Consolidated Local Plan 2015.
9. For the reasons given above I conclude that the appeals should be dismissed.

T G Phillimore

INSPECTOR