
Appeal Decision

Site visit made on 20 March 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 7th April 2017

Appeal Ref: APP/K5600/D/16/3159918

35 Ladbroke Gardens, London W11 2PX

- 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 Robin Houldsworth against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/04312, dated 5 July 2016, was refused by notice dated 7 September 2016.
 - The development proposed is roof alterations including provision of roof access, roof terrace, balustrades and green roof, plus new sash windows to street elevation.
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Decision

1. The appeal is allowed and planning permission is granted for roof alterations including provision of roof access, roof terrace, balustrades and green roof, plus new sash windows to street elevation at 35 Ladbroke Gardens, London W11 2PX in accordance with the terms of the application, Ref PP/16/04312, dated 5 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 00516-A00-000, 7264/1 A, 7264/2 A, 00516-A05-200 B, 7264/E1 A, 7264/3 A, 7264/E2 A, 00516-A01-100 B, 00516-A01-101 B, 00516-A02-100 B, 00516-A03-100 B,
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) No items such as plants, umbrellas, heaters, screens, trellises, or other items, which rise higher than 1100mm from finished floor/decking level, shall be affixed to or placed upon the terrace at any time.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the host dwelling and whether or not it would preserve or enhance the character or appearance of the Ladbroke Conservation Area.

Background

3. Planning permission has recently been granted¹ for a similar development at the appeal property, which included a smaller terrace and stairway enclosure to that which forms the subject of this appeal. The Council have not raised any concern regarding the roof terrace, balustrade, green roof or replacement windows. Based on the evidence before me and the observations I made during my site visit, I find no reason to disagree with this view. Therefore, my assessment focuses on the element of the proposal that is in contention, which is the glazed stairway enclosure.

Reasons

4. The appeal property is located within the Ladbroke Conservation Area (the CA), which is a largely residential area laid out in formal street patterns, crescents and communal gardens. There is a variety of property types, including terraced, semi-detached and detached, which are typically Victorian in style. Property frontages are largely unaltered with many streets displaying uniform designs and building lines, which provide an attractive setting, typical of historical suburban London.
5. The appeal property is a four-storey plus basement, corner plot terraced property with a dual aspect addressing both Ladbroke Gardens and Ladbroke Grove. Its corner plot location and its position on the hill, rising from north to south, results in it being prominent in views when travelling southbound along Ladbroke Grove. The variety of building designs on this side of Ladbroke Gardens is in marked contrast to the uniformity of the terraced properties on the opposite side of the road.
6. There are a number of properties in the locality, which are also within the CA, that have had alterations and extensions to their roofs. These range from modest additions to larger, complete extensions, as referred to me by the appellant. Whilst the Council's consideration of these developments is not before me, they nevertheless highlight the fact that roof alterations and extensions are present in the CA.
7. The proposed glazed stairway enclosure would be slightly higher and wider than that approved. However, its design would be similar with it being almost entirely glazed. The height of the building, the presence of the parapet and the set-back position of the enclosure would ensure that it is not seen from the street level or any surrounding public vantage points. The only views of the enclosure would be from private views from neighbouring properties, particularly from upper floors on the opposite side of the road. These views would be of the narrowest part of the enclosure. However, just because it would be visible does not mean it would harmfully affect the character or appearance of the host dwelling or the CA.
8. Whilst it would be larger than that approved, the glazed enclosure would remain a modest addition to the host dwelling. Its transparent walls would minimise its visual impact and due to the large chimney stack and the boundary wall with No 34 that it would sit against it would not appear unduly prominent in the roofscape. Policy CL9 of the Royal Borough of Kensington and Chelsea Consolidated Local Plan (the CLP) 2015 states that the Council will

¹ LPA ref PP/16/03947.

resist conservatories at roof level. Whilst the enclosure would have a glazed exterior, I do not consider that it would be read as a conservatory, no more than that already approved, and would not function as one either. Overall it would represent a subservient addition to the host building that would respect its scale and design and would not detract from the character or appearance of the CA.

9. I find therefore that the proposal would not significantly harm the character or appearance of the host dwelling and would have a neutral effect on, and therefore preserve, the character and appearance of the CA. As such, it would comply with Policies CL1, CL2, CL3, CL8 and CL11 of the CLP, which seek to ensure that development responds to local context; is of the highest architectural style; preserves or enhances the character or appearance of Conservation Areas; is architecturally sympathetic to the character of the building; and, protects views within Conservation Areas.

Conditions

10. I have had regard to the various conditions that have been suggested by the Council. For the avoidance of doubt it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. In the interests of protecting the character and appearance of the area conditions are necessary regarding materials and restricting tall items on the terrace.

Conclusion

11. For the reasons given above, having regard to all matters raised, the appeal is allowed.

Alexander Walker

INSPECTOR