
Appeal Decisions

Site visit made on 27 March 2017

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 3rd May 2017

Appeal A: APP/K5600/D/16/3163319 **101 Blenheim Crescent, London W11 2EQ**

- 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 Ian Learmonth against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/03286, dated 20 May 2016, was refused by notice dated 11 August 2016.
 - The development proposed is revision to roof form and structure to create a new floor of residential accommodation.
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Appeal B: APP/K5600/D/16/3163313 **103 Blenheim Crescent, London W11 2EQ**

- 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 Timothy Hamilton against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/03285, dated 20 May 2016, was refused by notice dated 11 August 2016.
 - The development proposed is revision to roof form and structure to create a new floor of residential accommodation.
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Appeal C: APP/K5600/D/16/3163315 **105 Blenheim Crescent, London W11 2EQ**

- 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 Peter Hobbs against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/03324, dated 20 May 2016, was refused by notice dated 19 August 2016.
 - The development proposed is revision to roof form and structure to create a new floor of residential accommodation.
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Decisions

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

Procedural Matter

4. The appeals, submitted separately, relate to separate applications for planning permission. However, the proposals are for an identical form of development at each of the three properties. Accordingly, given the similarities in the proposals and the common issues they raise, I have dealt with all three appeals in a single decision letter.

Main Issue

5. The main issue in this case is whether the development would preserve or enhance the character or appearance of the Ladbroke Conservation Area.

Reasons

6. Development in the Ladbroke Conservation Area is characterised primarily by long, elaborately detailed terraces of houses constructed in the mid 19th century and areas of open space in the form of private communal gardens. The Ladbroke Grove Conservation Area Appraisal (CAA) notes that concentric crescents and terraces follow the contour lines of the hill such that houses were constructed with an unbroken roofline which is key to their Classical unified design.
7. The three appeal properties are part of a longer terrace (Nos 83-115) in which the detailing, materials and arrangement of the front elevation still ensure it appears as a formal, cohesive composition that is typical of the relatively high status housing of the era. The properties have a butterfly roof form which is concealed by parapets at both the front and rear. At the rear, the original design of the terrace also appears to have been regular and unified. The CAA notes that the property makes a positive contribution to the character and appearance of the conservation area. The properties back onto the Elgin-Blenheim private garden which is a Grade II Registered Park and Garden and an essential part of the character of the conservation area. The garden and the houses that surround it provide a setting for each other.
8. The proposal seeks to replace the existing butterfly roofs with higher, pitched roofs to allow accommodation to be provided within the roof space. The roofs would be constructed in slate and would incorporate roof lights to the front and rear slopes.
9. There is nothing before me to suggest that the building, or the terrace as a whole, was ever intended to have a pitched roof or elements that projected above the parapet. I am not therefore persuaded that what is proposed is architecturally sympathetic to the age or character of the properties. I note that a similar form of extension has been constructed at Nos 93-99 and can be seen from the communal garden at the rear. These roof extensions pre-date the current development plan adopted in 2015 and the introduction of the National Planning Policy Framework in 2012. Notwithstanding this, the extensions do not constitute the predominant form of roof in the terrace, which consists of 17 properties, and do not therefore define the character or appearance of the terrace.
10. Moreover, the existing extensions do not seem to me to be a good example of development to follow. The CAA notes that some terraces have been subjected to different styles of roof addition and this differentiation from what should be a

uniform finish is deleterious. It seems to me that acceptance of the appeal proposal would compound the harm caused by the existing alterations.

11. I acknowledge that within the street, the proposed roofs would not be apparent at ground level. However, they would be visible from the upper floor windows of properties opposite and behind and, moreover, from the gardens at the rear. Whilst I accept the development may not be unduly prominent in the public realm it seems to me that harmful incremental changes erode the character and appearance of the terrace and its significance in the conservation area.
12. I have taken into account the agent's general point that reasonable opportunities should be taken to intensify the densities of cities to avoid the spread of development into the countryside. Be that as it may, this is a proposal for a relatively limited amount of development that does not justify harm to a heritage asset.
13. I conclude that for the above reasons the development would neither preserve, nor enhance the character or appearance of the conservation area contrary to the provisions of s.72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that there is a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. This is a weighty statutory requirement.
14. In addition, the development would conflict with policies CL1, CL2, CL3, CL6, CL8, and CL11 of the Royal Borough of Kensington and Chelsea Consolidated Local Plan 2015, which in various ways and amongst other things, require development to be of the highest architectural quality, to respect existing context and contribute positively to the townscape, to respect the existing character and appearance of a building, to preserve or enhance the character or appearance of the conservation area and in the case of roof alterations, to be architecturally sympathetic to the age and character of the building.
15. Given that the appeal proposal is a small scale development within a wider conservation area, the harm caused to the conservation area's significance as a heritage asset would be less than substantial in terms of the National Planning Policy Framework (the Framework) paragraph 134. In such circumstances the Framework advises that this harm should be weighed against the public benefits of the proposal. I accept that the extensions would provide enhanced accommodation at each of the three properties but conclude that this is not a public benefit which would outweigh the harm caused to the conservation area.

Conclusion

16. For these reasons, and taking into account all other matters raised, the appeals are dismissed.

S Ashworth

INSPECTOR