
Appeal Decisions

Site visit made on 24 January 2017

by J E Tempest BA(Hons) MA PGDip PGCertHE MRTPI IHBC

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

Decision date: 25 May 2017

Appeal Ref A(i): APP/K5600/W/16/3163102

44 Egerton Crescent, London SW3 2ED

- 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 & Mrs Lowrie against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/04191, dated 1 July 2016, was refused by notice dated 1 September 2016.
 - The development proposed is replacement rear extensions at lower ground and ground floor levels, provision of internal lift with over-run and associated internal alterations.
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Appeal Ref A(ii): APP/K5600/Y/16/3163103

44 Egerton Crescent, London SW3 2ED

- 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 Mr & Mrs Lowrie against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref LB/16/04192, dated 1 July 2016, was refused by notice dated 1 September 2016.
 - The works proposed are new and replacement rear extensions at lower ground and ground floor levels, provision of internal lift with over-run and associated internal alterations.
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Appeal Ref B(i): APP/K5600/W/16/3163104

44 Egerton Crescent, London SW3 2ED

- 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 & Mrs Lowrie against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/04265, dated 5 July 2016, was refused by notice dated 30 August 2016.
 - The development proposed is replacement of rear extensions at lower ground and ground floor levels, provision of internal lift with over-run and associated internal alterations.
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Appeal Ref B(ii): APP/K5600/Y/16/3163105

44 Egerton Crescent, London SW3 2ED

- 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 Mr & Mrs Lowrie against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref LB/16/04266, dated 5 July 2016, was refused by notice dated 30 August 2016.
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- The works proposed are replacement of rear extensions at lower ground and ground floor levels, provision of internal lift with over-run and associated internal alterations.
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Appeal Ref C(i): APP/K5600/W/16/3163106
44 Egerton Crescent, London SW3 2ED

- 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 & Mrs Lowrie against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/16/04535, dated 12 July 2016, was refused by notice dated 8 September 2016.
 - The development proposed is rear lower ground floor extension; rear ground floor infill extension to replace conservatory addition; installation of internal lift with extension to third floor level above closet wing and internal alterations.
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Appeal Ref C(ii): APP/K5600/Y/16/3163107
44 Egerton Crescent, London SW3 2ED

- 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 Mr & Mrs Lowrie against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref LB/16/04536, dated 12 July 2016, was refused by notice dated 8 September 2016.
 - The works proposed are rear lower ground floor extension; rear ground floor infill extension to replace conservatory addition; installation of internal lift with extension to third floor level above closet wing and internal alterations.
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Decisions

1. Appeal A(i) is allowed and planning permission is granted for replacement rear extensions at lower ground and ground floor levels, provision of internal lift with over-run and associated internal alterations at 44 Egerton Crescent London SW3 2ED in accordance with the terms of the application, Ref PP/16/04191, dated 1 July 2016, subject to the conditions in the attached schedule.
 2. Appeal A(ii) is allowed and listed building consent is granted for new and replacement rear extensions at lower ground and ground floor levels, provision of internal lift with over-run and associated internal alterations at 44 Egerton Crescent, London SW3 2ED in accordance with the terms of the application Ref LB/16/04192 dated 1 July 2016 and the plans submitted with it subject to the conditions set out in the attached schedule.
 3. Appeal B(i) is allowed and planning permission is granted for the replacement of rear extensions at lower ground and ground floor levels, provision of internal lift with over-run and associated internal alterations at 44 Egerton Crescent London SW3 2ED in accordance with the terms of the application, Ref PP/16/04265, dated 5 July 2016, subject to the conditions in the attached schedule.
 4. Appeal B(ii) is dismissed insofar as it relates to the widening of the opening at ground floor level between the proposed kitchen and proposed breakfast room.
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5. Appeal B(ii) is allowed insofar as it relates to the remainder of the works proposed and listed building consent is granted for replacement of rear extensions at lower ground and ground floor levels, provision of internal lift with over-run and associated internal alterations at 44 Egerton Crescent London SW3 2ED in accordance with the terms of the application Ref LB/16/04266, dated 5 July 2016, and the plans submitted with it so far as relevant to those parts of the works hereby authorised and subject to the conditions in the attached schedule.
6. Appeals C(i) and C(ii) are dismissed.

Procedural Matters

7. The descriptions of works and development used in the headings above are those set out on the Council's decision notices which, although not identical to the descriptions on the original application forms, are the descriptions which the appellant has used on the appeal forms.
8. The three proposals were each submitted on a combined application form seeking both planning permission and listed building consent. Both the Council and appellant refer to the appeals in a similar, combined fashion as Appeals A, B, and C. However, the appeals against the refusal of listed building consent and planning permission are separate from one another. To avoid confusion I have retained the letters used by the main parties, but added a suffix to distinguish between the appeals against the refusal of planning permission and listed building consent.
9. After the appeals were lodged, the Council granted planning permission and listed building consent for two further proposals, which the appellant refers to as re-submissions of appeal schemes A and B. I have been provided with the decision notices and plans relating to those schemes. I refer to these further below.

Main Issues

10. The appeal building is a listed building (listed, Grade II, as "31-54 Egerton Crescent, 31-54 Consecutive"). It is sited within the Thurloe and Smith's Charity Conservation Area. With this in mind, the main issues in all the appeals are:
 - Whether the proposed development or works would preserve the special architectural or historic interest of the listed building and the terrace of which it forms part or any features of special interest which it possesses, and
 - Whether the proposed development or works would preserve or enhance the character or appearance of the Conservation Area.

Reasons

The significance of the listed building

11. The appeal building forms part of Egerton Crescent which, as its name suggests, is a curved terrace. At each end of the terrace and slightly detached from it are shorter, straight terraces. Most of the houses are three storeys over a basement with mansard roofs. The centre of the terrace is distinguished by taller houses of four full storeys and the appeal property is one such house.

The front of the terrace is finished in stucco and is also unified by a variety of architectural features. The whole creates an imposing, formal composition. Whilst the listing description dates the terrace to 1830, other evidence including the Council's recently published Conservation Area appraisal¹, date the terrace to 1843 - 1850.

12. Whilst the formal listing description makes no reference to the interiors or rear of the terrace, this does not mean they are not of special interest and the whole of building is covered by the listing. However, the rear elevation contributes to a lesser degree to the overall significance of the building and terrace than the front elevation.
13. The rear of the terrace exhibits more variety as a consequence of alterations which have taken place over an extended period. These alterations to various properties in the terrace vary in design and form. Alterations to the rear of the appeal property include a single storey extension at lower ground floor level to fill the full width of the building and a ground floor conservatory-style extension over part of this. The evidence also refers to an extension at second floor mezzanine level to the rear stack or closet wing. The interior is described by the appellant as being relatively simple with some surviving cornices and chimney pieces. I consider that the surviving historic plan form of the building also contributes to the significance of the building as historic and architectural interest derives from the terraced having been designed by the architect, George Basevi.

Thurloe and Smith's Charity Conservation Area.

14. The Council adopted the Thurloe Estate and Smith's Charity Conservation Area Appraisal (CAA) in October 2016, shortly after the determination of the applications which are the subject of these appeals. First designated in 1968, the CAA summarises its character as including development by some of the great names of the Victorian building world including George Basevi. Egerton Crescent lies within the Smith's Charity Estate.
15. The conservation area is stated to display a remarkable slice of South Kensington's architectural history from the Georgian period through to the end of the Victorian period. There was no overall plan for each whole estate but each Victorian street is designed as a whole piece with terraces having palace fronts, set in crescents and built around private garden squares. The streets therefore have a coherent design, character and charm. Section 3 of the CAA describes some twenty different areas of housing of which Egerton Crescent and Terrace is one. It is clear that Egerton Crescent contributes to the overall significance of the conservation area.
16. Whilst the majority of the CAA focuses on the more formal front elevations and their relationship to streets and gardens, the CAA includes a general section on rear elevations. This draws attention to the contribution of rear elevations to the historic and architectural character and appearance of the conservation area, being an original part of the house design with their own typical characteristics, visible across garden walls and from rear windows.

¹ Royal Borough of Kensington & Chelsea *Thurloe Estate and Smith's Charity Conservation Area Appraisal* October 2016

Recently permitted works and development

17. Following the refusal of the proposals which are the subject of the appeals, proposals granted by the Council include: an extension to the rear of the closet wing at lower ground floor level; a replacement conservatory on the rear of the property at ground floor level including in one scheme permission to extend this 400 mm forward of the existing conservatory; an internal lift within the closet wing with a minimal over-run extension above the existing 2nd floor of the closet wing; and works to the front lightwell and vaults.

Appeals A(i) and A(ii)

Lower Ground Floor Addition to closet wing

18. The recent permissions granted by the Council allow an extension of the rear closet wing by a depth of 1100 mm. The appeals seek an extension of 1750 mm depth. Both the permitted and proposed extensions would provide an evident distinction between the closet wing and the rear wall of the house, a distinction currently lost as a result of the existing garden room extension. Although this would be achieved by extending the closet wing beyond its previous depth, the principle of such an extension is acknowledged in the recent permissions granted by the Council. The additional bulk of the slightly longer extension would not be so great that it would harm the architectural interest of the building.
19. The closet wing extension entails the alteration of the existing French doors at ground floor level. The submitted evidence does not provide an explanation for the evolution of the closet wing fenestration. I note that the existing windows either side of the French doors at ground and first floor level differ in height from the French doors. I am not persuaded that the proposed alteration to the French doors at ground floor level would be unacceptable or would harm the hierarchy of windows in the rear elevation when considered as a whole. I have taken into account the benefits which would arise from the proposed introduction of a wider window above the closet wing at third floor level.

Ground Floor Conservatory extension

20. The proposals would rebuild the existing room, moving the south east (garden facing) wall some 800 mm closer to the edge of the existing garden room extension below. The new wall would be a series of glazed, folding doors. This would result in a minimal distance between the proposed new railings and the doors of the proposed conservatory which is referred to on the plans as a breakfast room. The height would be greater than that of the existing conservatory and the juxtaposition of the rooflight and the base of the first floor balcony appears somewhat awkward on the proposed elevation drawings. However, it is clear from the plans and cross section that the rooflight would be positioned some distance beyond the balcony.
21. When seen in some views from the rear garden of the appeal property, the existing conservatory roof already has the appearance of being above the base of the balcony. The frameless rooflight proposed would be smaller in area than the existing rooflight. Taken together with the relatively simple design of the proposed conservatory and rooflight, I am satisfied that the proposals would not harm the appearance of the rear elevation. The difference between what

exists and what is proposed in terms of height and depth is not so great that any essential quality of subservience would be lost and the extension would appear as a respectful contemporary addition.

22. Taking into account the existing extensions at the rear of the building, the proposed combination of the closet wing extension and conservatory extension would not be excessive given the modest extent of the enlargements proposed.
23. Whilst I acknowledge that harm can arise from a series of successive alterations, the conservatory works would replace an existing alteration and would not remove a feature which contributes to the special interest of the listed building.

Insertion of lift

24. A lift is proposed within the existing closet wing. This necessitates alterations to the wing to provide the lift enclosure and associated lobbies. The lift is to be positioned close to the junction of the closet wing and the principal staircase. The recent permissions include the insertion of the lift and I consider that concerns raised in the context of the appeal proposals regarding treatment of the doors and visibility of the lift can satisfactorily be addressed by condition.

Other alterations

25. Alterations to the vaulted area at the front of the property are proposed to create a steam room. The drawings indicate the loss of the entrance door to the central vault. The lower ground floor entrance lobby would also be slightly extended with a flat lead roof. The details of these alterations would cause some limited harm to the special interest of the building and I note that different details are shown on the recently approved proposals for the property. I consider that these matters are sufficiently modest in scale that they could be satisfactorily addressed by means of appropriate conditions.
26. At lower ground floor level, the existing space occupied by the garden room would be modified to accommodate the lift, and also provide additional facilities at this level. These changes would reduce the size of the garden room, such that it would be less of a contrast in scale with other lower ground floor rooms. Whilst the evidence does not show these changes are on the former line of the closet wing, on balance this aspect of the proposals would be beneficial in respect of modifications to the floor plan.

Other matters

27. I have taken into account the concerns expressed by a neighbour regarding some aspects of the proposals. Details of the proposed trellis can be secured by means of an appropriately worded condition. Party wall matters are covered by separate legislative provisions.

Conclusions on Appeals A(i) and A(ii) and Conditions

28. The proposals would preserve the special architectural and historic interest of the listed building and the terrace as a whole. Whilst the proposals would not enhance the character or appearance of the conservation area, they would preserve both its character and appearance. As a consequence, they would meet the expectations of the Planning (Listed Building and Conservation Areas)

Act 1990 (the Act) in this regard. The proposals would comply with the Council's Consolidated Local Plan² (Local Plan) Policy CL4 as they would protect the heritage significance of the listed building.

29. The development would comply with Local Plan Policy CL3 which, amongst other matters, reflects the provisions of the Act in relation to development in conservation areas. Given these findings there is no material conflict with Policy CL9 which addresses extensions and modifications to existing buildings in a wider context. Neither would the development conflict with Policy CL1 which requires development to respect existing context, character and appearance or with Policy CL11 in relation to the protection of views including those within conservation areas.
30. The proposals would comply with Section 12 of the National Planning Policy Framework (Framework) in respect of the conservation of designated heritage assets.
31. The Council has provided suggested conditions in the event of the appeals being allowed. With regard to Appeal A(i), the condition specifying the approved proposal drawings requires modification to allow the Council to consider revised details to the works to the front vaults and lightwell area. Conditions are required to secure detailed control over the materials to be used in the external finishes of the works. Details of the proposed new privacy trellises at ground floor level adjacent to the neighbouring properties are also required.
32. In respect of Appeal A(ii), listed building consent, conditions are required to secure the modifications to the doors on the first floor mezzanine landing and in respect of the front lightwell and vaults; these are reflected in revised wording to the Council's suggested condition 2 regarding accordance with the submitted plans. Detailed scaled drawings are required of external doors, the conservatory extension and the fire surround as these do not form part of the submitted drawings. Control over the external finishes and the finish to internal doors are also required.

Appeals B(i) and B(ii)

33. As with scheme A, these proposals include the extension to the closet wing at lower ground floor level, the introduction of a lift within the closet wing and works to the vaults and front lightwell. There are significant differences from scheme A. A further extension to the lower ground floor would span between the proposed extended closet wing and the site boundary. At ground floor level the existing opening between the proposed kitchen (currently a living room) and the proposed conservatory or breakfast room would be enlarged. The proposed rebuilt conservatory at ground floor level would not be extended in depth as shown in Scheme A.

Lower Ground Floor 'infill' extension.

34. The proposed extension to the garden room would bring the line of the rear wall further into the garden by some 800 mm. The line of the existing rear wall is not original and has not been shown to have special historic interest. The proposal would retain a differentiation between the (extended) closet wing

² The Royal Borough of Kensington & Chelsea Consolidated Local Plan 2015

and the rear wall at lower ground floor level, albeit neither would be on their original line. The extent of this differentiation would be smaller than that in scheme A, but would not negate the benefit of reintroducing this distinction. As with scheme A, there would be some benefits from the subdivision of the floor plan of the garden room. Taking into account the scale of the existing garden room, the scale of the resulting proposed garden room would not be so great that it would harm the understanding of the historic floor plan of the building.

Ground Floor Conservatory extension

35. The proposals would replace the existing room with the new south east (garden facing) wall in approximately same position. The new wall would be a series of glazed, folding doors. As a consequence of the proposed extension to the lower ground floor there would be a terrace beyond the folding doors. The height of the conservatory would be greater than that of the existing conservatory and the juxtaposition of the rooflight and the base of the first floor balcony appears somewhat awkward on the proposed elevation drawings. The plans and cross section show that the rooflight would be positioned just beyond the balcony and closer to the balcony than in scheme A.
36. When seen in some views from the rear garden of the appeal property, the existing conservatory roof already has the appearance of being above the base of the balcony. The frameless rooflight proposed would be smaller in area than the existing rooflight. Taken together with the relatively simple design of the proposed conservatory and rooflight, I am satisfied that the proposals would not harm the appearance of the rear elevation. The difference between what exists and what is proposed in terms of height is not so great that any essential quality of subservience would be lost and the extension would appear as a respectful contemporary addition.

Effects of lower ground floor and ground floor extensions

37. Taking into account the existing extensions at the rear of the building, the proposed combination of the closet wing extension, lower ground floor extension and the raised height of the conservatory would not be excessive given the modest extent of the enlargements proposed.
38. Whilst I acknowledge that harm can arise from a series of successive alterations, the proposed replacement conservatory at ground floor level and the proposed extended lower ground floor garden room would replace existing alterations and would not remove features which contribute to the special interest of the listed building. The combination of extensions would not dominate the rear elevation of the house when considered as a whole.
39. I find that this aspect of the proposals would not harm and would therefore preserve the special interest of the listed building and terrace of which it forms part.

Widening of opening between proposed kitchen and breakfast room

40. The proposals entail the widening of an existing opening between what is currently a living room at the rear of the house, leading into the conservatory. This entails the removal of part of the historic rear wall of the house. Whilst there is currently a step down into the existing conservatory, the floor of the

new conservatory or breakfast room would be raised to remove the step. The dividing wall between the existing living room and the dining room at the front of the house would be partially removed and double doors inserted to link the two rooms. The evidence submitted with the appeal includes an engineer's drawing (4600.061, SK01 dated Nov 2016) of the proposed arrangements which are stated to match those at No 37 Egerton Crescent. This drawing was not part of the proposals determined by the Council but I have taken it into account in reaching my decision.

41. The insertion of double doors between the two historic ground floor rooms is part of the recent consents granted by the Council. The existing opening on the historic rear wall of the dwelling is an alteration from a former window to a doorway. Nonetheless, as the historic window width has been maintained, there remains a strong sense of enclosure to the rear living room provided by the historic rear external wall. The opening proposed into the new breakfast room would result in a significant widening of the existing opening and would also be of an appreciably greater width than that of the permitted opening between the dining room and proposed kitchen. The measures in the appeal proposal would lose the sense of enclosure to the rear room and with it the ready appreciation of the historic plan form of the ground floor of the house. The appreciation of the position of the historic rear wall from the conservatory or breakfast room would be diminished. There would also be loss of some historic fabric.
42. I have been provided with an appeal decision relating to No 37 Egerton Crescent³. Whilst the appeal was dismissed, I have noted the comments made by the Inspector in relation to widening an opening in the original rear wall of that dwelling. I do not have the plans which were before the Inspector at the time. The appellant's evidence in respect of the current appeal includes an extract from a floor plan subsequently permitted by the Council relating to No 37. I note from this that there is no reference to alterations in floor levels and that the floor area of the room to the rear of the original rear wall (into which the double doors are shown to give access) is smaller than the equivalent room in the proposal before me. The two proposals are therefore not wholly comparable and this reduces the weight I attach to this matter.
43. I have taken into account that the adaptability of buildings has a role to play in sustaining their long term future. The raising of the floor level to remove the step between the historic rear room and the conservatory or breakfast room is clearly desirable terms of accessibility and has been accepted as part of the recent permissions granted by the Council. However, there is little evidence that the extent of the proposed alterations to the rear wall entailed in the proposals is necessary to secure the future of the building and I consider these proposed changes are not consistent with the conservation of the building.
44. For the reasons I have set out, I find that this proposal would harm the special architectural and historic interest of the listed building and so would diminish its significance. In the context of Paragraphs 132 – 134 of the Framework, this harm would be less than substantial. However, I am not persuaded that there are public benefits attached to this aspect of the proposal which would outweigh the harm that would result. Accordingly, I find that this element of

³ APP/K5600/E/13/2200716

the scheme does not accord with the Framework. The proposal would also conflict with Policy CL4 to the extent that it would fail to protect the heritage significance of the listed building.

Conclusions on Appeals B(i) and B(ii) and Conditions

45. Whilst the proposals would not enhance the character or appearance of the conservation area, they would preserve both its character and appearance. As a consequence, they would meet the expectations of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) in this regard. With the exception of works to widen the ground floor opening, the proposals would comply with Local Plan Policy CL4 as they would protect the heritage significance of the listed building.
46. In respect of Appeal B(i) the development would comply with Local Plan Policy CL3 which, amongst other matters, reflects the provisions of the Act in relation to development in conservation areas. Given these findings there is no material conflict with Policy CL9 which addresses extensions and modifications to existing buildings in a wider context. Neither would the development conflict with Policy CL1 which requires development to respect existing context, character and appearance or with Policy CL11 in relation to the protection of views including those within conservation areas.
47. Given the harm I have found in respect of proposal to widen the opening in the historic rear wall of the property, I conclude for the reasons given above that the appeal against the refusal of listed building consent should be dismissed insofar as it relates to this matter and this aspect of the proposals fails to comply with Section 12 of the Framework in respect of the conservation of designated heritage assets.
48. A condition is necessary in respect of the listed building consent to clarify the extent of the works permitted by the consent. In addition, conditions are also required to address matters set out in respect of Appeals A(i) and A(ii) above and which are applicable also to Appeals B(i) and B(ii).

Appeals C(i) and C(ii)

49. These proposals include the proposals which comprise those considered in Appeal B. In addition, the proposals include a vertical extension over the rear of the closet wing to provide a further storey height for the proposed lift.
50. The extension to the closet wing would result in the loss of one of the two vertical sliding sash windows in the main rear wall of the house at third floor level. It would also result in the loss of a second floor window, although this lacks any historic or architectural interest. The depth of the extension would be modest, considerably less than the existing closet wing and no more than would be required to achieve the lobby and lift. The maximum height of the extension would be below the parapet of the main rear wall.
51. Nonetheless, the proposal would have a harmful effect on the appearance of the rear elevation, introducing a 'blank' elevation over part of the second and third floors. The attendant internal alterations to alter the existing third floor bathroom would result in the loss of historic fabric including the sash window and panelling and would alter the historic floor plan. Consequently, these works would affect parts of the building which have not been recently altered

- and which, in their current form, make a contribution to the special interest of 44 Egerton Crescent as a listed building.
52. Adapting the building to make it more accessible would be a benefit not only to the current occupiers of the property but for future occupiers. This element of the proposals would therefore bring public benefits. However, as the existing closet wing is accessed from half landing levels on the main staircase, the overall benefits of the lift are limited as the lift does not itself make the whole house accessible.
53. Any harm to heritage assets requires clear and convincing justification. The proposals which have been permitted by the Council and those which form part of Appeals A(i), A(ii), B(i) and B(ii) above permit the introduction of a lift from lower ground floor to the second floor of the closet wing. However, I am not satisfied that the public benefits arising from the additional vertical extension to accommodate the lift would outweigh the harm which the proposals would cause to the listed building.
54. There is photographic evidence of alterations which have taken place to the rear of other properties in the crescent and 11 out of 23 are stated to have full height closet wings. However, I am not provided with the planning history for all of these structures. Notwithstanding the other existing structures, the proposals would not be acceptable in relation to the appeal property.
55. Whilst the rear of the terrace is not visible as a whole from public vantage points, parts of it are visible from rear gardens and from the ends of the terrace. As the proposals would have an adverse effect on the significance of No 44 due to harm to its historic layout, loss of fabric and harm to the appearance of the rear elevation of the property, it must follow that there would be some adverse effect upon the terrace as a whole. As the whole terrace is listed, the harm would not be mitigated by the lack of public visibility.
56. With regard to the effect of the proposals on the conservation area, whilst there would be no adverse effect upon the character of the area, there would be a limited adverse effect upon the appearance of the area.
57. I have noted the support for the lift extension expressed by the neighbouring occupier. However, this does not alter my conclusions on this matter.

Conclusions on Appeals C(i) and C(ii)

58. For the reasons set out above, the proposed extension to the rear closet wing would harm the special interest of the listed building. I have found the appeal proposals relating to Scheme B to be unacceptable in relation to the widening of opening in the historic rear ground floor wall. As these proposals form part of Scheme C, Scheme C is unacceptable for these reasons also. The proposals would diminish the significance of the listed building.
59. The proposals would result in some harm to the special interest of the terrace as a whole and to the appearance of the conservation area.
60. With regard to the Section 12 of the Framework, and in particular to paragraphs 132 – 134, the proposals would result in less than substantial harm to designated heritage assets. However, the public benefits are not sufficient

to outweigh the harm I have identified. I therefore find that the proposals conflict with the Framework.

61. The proposals would conflict with Policy CL4 of the Local Plan as they would fail to protect the heritage significance of the listed buildings. The proposals conflict with Policy CL9 to the extent that the detailed design of the addition would not be in character with the existing building. There would be a degree of conflict with Policy CL3 which requires development to preserve and take opportunities to enhance conservation areas and historic spaces.
62. For the reasons given above I conclude that the appeals should be dismissed.

J E Tempest

INSPECTOR

Attached – schedule of conditions in respect of Appeals A(i) and A(ii) and B(i) and B(ii).

Appeal A(i)

Schedule of Conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Except as provided for under Condition 8 the development hereby permitted shall be carried out in accordance with the following approved plans: LP01, LP02, PR11-1, PR-11-2, PR12, PR13, PR14, PR15, PR16, PR17, PR18, PR19A, PE40, PE41.
- 3) All work and work of making good shall be finished to match the existing exterior of the building in respect of materials, colour, texture, profile and, in the case of brickwork, facebond and pointing and shall be so maintained.
- 4) No development shall commence until full particulars of the following have been submitted to and approved in writing by the local planning authority and the development shall not be completed otherwise than in accordance with the details so approved:
 - (a) Materials to be used on the external faces of the extensions, including a sample panel to be provided on site.
- 5) The windows hereby permitted shall be timber framed, white painted, double hung, sliding sashes and so maintained.
- 6) The folding doors of the conservatory hereby permitted shall be timber framed, white painted and so maintained.
- 7) Details of the privacy trellises to be erected adjacent to Nos 43 and 45 Egerton Crescent shall be submitted to and approved in writing by the local planning authority. The trellises shall be erected prior to the breakfast room being brought into use and thereafter maintained.
- 8) Notwithstanding the approved drawings, details works to the front lightwell and vaults shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works in these areas. The works shall be carried out in accordance with the details thereby approved.

Appeal A(ii)

Schedule of Conditions

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) Except as provided for under Conditions 9 and 10 the works forming the subject of this consent shall not be carried out except in complete accordance with the details shown on the submitted plans and shall be so maintained.
- 3) Detailed drawings in respect of the following shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:

- (a) Drawings of all external doors at a scale of 1:10
 - (b) Drawing of the chimney piece fire surround at a scale of 1:10
 - (c) Detail drawings of conservatory extension to include fascia and lantern at a scale of 1:5.
- 4) All existing fabric including existing wall and ceiling plasterwork shall be retained, unless annotated otherwise on the drawings approved under this consent.
 - 5) Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site and approved in writing by the local planning authority before the relevant parts of the approved works are commenced and the sample panels shall be retained on site until the work is completed in accordance with the panels so approved.
 - 6) All windows hereby granted consent shall be white painted timber, double hung, vertical sliding sashes, single glazed with a bevelled putty finish and no trickle vents with moulding and dimensions to match the existing windows and be so maintained.
 - 7) The railings to the rear of the ground floor and external steps to lower ground floor shall be black painted metal and so maintained.
 - 8) The internal doorways shall be painted timber panelled doors to match those already existing.
 - 9) Notwithstanding the approved drawings, the upper panels of the doors at ground to first floor mezzanine landing shall be timber panelled doors with upper glazed panels and shall be so maintained.
 - 10) Notwithstanding the approved drawings, details of works to the front lightwell and vaults shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works in these areas. The works shall be carried out in accordance with the details thereby approved.

END.

Appeal B(i)

Schedule of Conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Except as provided for under Condition 8 the development hereby permitted shall be carried out in accordance with the following approved plans: LP01, LP02, PR21-1, PR-21-2, PR22, PR23, PR24, PR25, PR26, PR27, PR28, PR29, PE50, PE51.
- 3) All work and work of making good shall be finished to match the existing exterior of the building in respect of materials, colour, texture, profile and, in the case of brickwork, facebond and pointing and shall be so maintained.
- 4) No development shall commence until full particulars of the following have been submitted to and approved in writing by the local planning

authority and the development shall not be completed otherwise than in accordance with the details so approved:

- (a) Materials to be used on the external faces of the extensions, including a sample panel to be provided on site.
- 5) The windows hereby permitted shall be timber framed, white painted, double hung, sliding sashes and so maintained.
- 6) The folding doors of the conservatory hereby permitted shall be timber framed, white painted and so maintained.
- 7) Details of the privacy trellises to be erected adjacent to Nos 43 and 45 Egerton Crescent shall be submitted to and approved in writing by the local planning authority. The trellises shall be erected prior to the breakfast room being brought into use and thereafter.
- 8) Notwithstanding the approved drawings, details works to the front lightwell and vaults shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works in these areas. The works shall be carried out in accordance with the details thereby approved.

Appeal B(ii)

Schedule of Conditions

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) With the exception of works to widen the existing doorway between the proposed kitchen and proposed breakfast room at ground floor level which do not form part of this consent, and except as provided for under Conditions 9 and 10 the works forming the subject of this consent shall not be carried out except in complete accordance with the details shown on the submitted plans and shall be so maintained.
- 3) Detailed drawings in respect of the following shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:
 - (a) Drawings of all external doors at a scale of 1:10
 - (b) Drawing of the chimney piece fire surround at a scale of 1:10
 - (c) Detail drawings of conservatory extension to include fascia and lantern at a scale of 1:5.
- 4) All existing fabric including existing wall and ceiling plasterwork shall be retained, unless annotated otherwise on the drawings approved under this consent.
- 5) Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site and approved in writing by the local planning authority before the relevant parts of the approved works are commenced and the sample panels shall be retained on site until the work is completed in accordance with the panels so approved.

- 6) All windows hereby granted consent shall be white painted timber, double hung, vertical sliding sashes, single glazed with a bevelled putty finish and no trickle vents with moulding and dimensions to match the existing windows and be so maintained.
- 7) The railings to the rear of the ground floor and external steps to lower ground floor shall be black painted metal and so maintained.
- 8) The internal doorways shall be painted timber panelled doors to match those already existing.
- 9) Notwithstanding the approved drawings, the upper panels of the doors at ground to first floor mezzanine landing shall be timber panelled doors with upper glazed panels and shall be so maintained.
- 10) Notwithstanding the approved drawings, details of works to the front lightwell and vaults shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works in these areas. The works shall be carried out in accordance with the details thereby approved.

END.