
Appeal Decision

Site visit made on 30 November 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 14 December 2017

Appeal Ref: APP/K5600/D/17/3179875
43 Finstock Road, London W10 6LU

- 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 Alan Rivers against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/17/02628, dated 19 April 2017, was refused by notice dated 19 June 2017.
 - The development proposed is a single storey first floor extension to the side elevation of 2.3m².
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. An incomplete name was included for the applicant on the planning application form. However, there is no dispute that the named appellant on the planning appeal forms has the right to lodge this appeal and has been referenced in correspondence that accompanied the planning application.

Main Issue

3. Whether the proposed extension would preserve or enhance the character or appearance of the Oxford Gardens Conservation Area¹ (CA).

Reasons

4. The appeal site is located at the end of a terrace of similar properties although the entrance to the dwelling faces onto Kelfield Gardens. This is a pleasant suburban, mainly residential area.
5. The dwelling at the appeal site is narrower in width than the other dwellings within the line of attractive traditional dwellings. Being at the end of the terrace, the dwelling 'closes off' the block with a prominent side elevation which is comparable to other similarly positioned dwellings. The side wall of the dwelling facing onto Kelfield Gardens includes the dominant gable of the main roof and the lower pitched roof of the rearward projection. Below the eaves there is simple detailing with traditionally proportioned windows, a chimney stack and a low side extension with a felted lean-to roof. The side

¹ The CA is also titled within the Conservation Area Proposals Statement (CAPS) as Oxford Gardens/St Quentin

boundary is defined by a red-brick wall but much of the side elevation of the dwelling is visible above it. There is a small flat roof on the rear bay.

6. Other groups of dwellings have differing architectural detailing and some of these include flat-roofed front gables and other distinctive detailing which are unifying features of those groups of buildings. There are also some examples within the CA where dwellings, including those at the end of terraces, have been altered. However, I found that where modern alterations have occurred nearby they have not set a particular pattern or overridden the traditional form of the attractive terraces which continue to include cohesive original features. The Council has exerted additional control over domestic alterations through an 'article 4' direction to protect the character and appearance of the CA.
7. The proposal would involve extending above the existing single-storey lean-to that is visible into Kelfield Gardens to provide additional space for an existing en-suite at first-floor level. This prominent 2 storey side extension although covering a modest area would interrupt the existing lean-to roof of the ground floor extension when looked at from the side. This would produce a much more prominent flat-roof at eaves level that would be discordant in form with the existing dwelling and those nearby. This would disrupt the side elevation with the in a very conspicuous position. The extension would be constructed of red-brick with traditional windows but these details would not overcome my concerns. The flat-roof on the side elevation would be in a different context from those on other dwellings. The narrow flat-roofed bay at the rear of this dwelling is also in a different, less obvious position.
8. The proposal would not contribute positively to the townscape within the CA and in this context would not respect the integrity of this group of buildings or the distinctiveness of the wider area. In relation to the main issue, the proposed extension would not preserve or enhance the character or appearance of the CA. This would not comply with Local Plan² Policies CL1, CL2, CL9 and CL11.
9. The proposal would provide a more useable bathroom attached to a bedroom within the dwelling but any public benefits appear to be very limited. The benefits do not outweigh the great weight that I give to the less than substantial harm to the significance of the CA. The proposal would not therefore comply with LP Policy CL3 and would not meet the standard required by paragraph 134 of National Planning Policy Framework.

Conclusion

10. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR

² Royal Borough of Kensington and Chelsea, Consolidated Local Plan, July 2015