
Appeal Decisions

Site visit made on 31 October, 2017

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 15th December, 2017

Appeal A Ref: APP/K5600/W/17/3180371

13 Launceston Place, London, W8 5RL

- 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 Michael Mire against the decision of the Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref: PP/17/00580 dated 27 January, 2017 was refused by notice dated 27 March, 2017.
 - The development proposed is, on the rear elevation, to replace the flat roof of an existing dormer window with glass.
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Appeal B Ref: APP/K5600/Y/17/3180391

13 Launceston Place, London, W8 5RL

- 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 Michael Mire against the decision of the Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref: LB/17/00581 dated 27 January, 2017, was refused by notice dated 27 March, 2017.
 - The works proposed are, on the rear elevation, to replace the flat roof of an existing dormer window with glass.
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Decision: Appeal A

1. The appeal is allowed and planning permission is granted, on the rear elevation, to replace the flat roof of an existing dormer window with glass at 13 Launceston Place, London, W8 5RL in accordance with the terms of the application, Ref: PP/17/00580 dated 27 January, 2017 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: 1602.126, 1602.306, 1602.670, 1602.671 & 1602.672.

Decision: Appeal B

2. The appeal is allowed and listed building consent is granted for on the rear elevation, to replace the flat roof of an existing dormer window with glass at 13 Launceston Place, London, W8 5RL in accordance with the terms of the
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application Ref: LB/17/00581 dated 27 January, 2017 subject to the following conditions:

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) The works hereby consented shall be carried out in accordance with the following approved plans: 1602.126, 1602.306, 1602.670, 1602.671 & 1602.672.
- 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, face bond and pointing, and shall be so maintained.

Preliminary Matters

3. The description of development above in respect of both appeals is taken from the original application. While in Part E of both appeal forms it is stated that the description of development has not changed, nevertheless a different wording has been entered. The main parties have not provided written confirmation that a revised description of development has been agreed in either case. Accordingly I have used the description given on the original application.
4. Additional plans were submitted with the appeal, showing details of the proposed alterations. I have considered whether any party would be prejudiced by being deprived of an opportunity to be consulted on them, and, as they provide further details of the proposed changes rather than alterations to what is proposed, I have concluded that this would not be the case. I have therefore taken them into account in reaching my decisions.

Main Issues

5. The main issue in respect of both Appeal A and Appeal B is whether the proposal would preserve the special architectural or historic interest of the listed building, and the effect on its significance.
6. Additionally, in respect of Appeal A, the main issue is also whether the proposal would preserve the character and appearance of the surrounding conservation area, and the effect on its significance.

Reasons

Listed Building

7. No 13 Launceston Place is a semi-detached, Regency villa of two storeys plus basement and an attic storey. It has a low pitched, slated roof and stuccoed frontage, and retains a lead-hooded ground floor window. It is listed at Grade II, alongside Nos 5 – 22 Launceston Place, with which it has group value.
8. The significance and special interest of the appeal dwelling lies in part in its age and architectural quality, particularly as expressed in its frontage treatment and features, and in its contribution to the largely consistent group of similar townhouses along the west side of Launceston Place. Some significance and interest also lies in the survival of historic floorplans and their reflection of the original functions and status of different parts of the building.

9. The rear of the building has been altered and extended on a number of occasions. The dormer window which is the subject of the appeal proposal is set on the rear roof slope. Although it is traditional in design, it received permission to be enlarged in 1991, and appeared on inspection to be a relatively recent addition to the building in its current form. It lights a small attic room, used as a guest bedroom.
10. The appeal proposal is to replace the flat lead roof of the dormer with glass. The drawings submitted with the appeal show that the glass roof would be double-glazed and non-openable, with a gently curved profile. It would sit on the existing lead-clad dormer cheeks, would not project beyond them, and would be set behind a lead-clad upstand to the front of the dormer.
11. The change would require the removal of a small amount of fabric, the existing lead-clad top to the dormer, although this fabric would not be original to the building or particularly historic. The lead upstand to the front of the dormer and presence of a large chimney stack close to it on its south side would mean that any external views of the glass roof would be very limited, and where they existed would be constrained and oblique. While there might be some upward light spill at night, there would be limited view and it would be similar in character to that created by a roof light. I conclude therefore that it would not be significant in effect.
12. The alteration would be visible from the interior of the house. However, the access to the attic room by a narrow secondary staircase, its small size and relatively low ceiling height would not be changed by the proposal. Therefore, notwithstanding the introduction of additional light from above, the room would retain the most significant aspects of its character as a very modest, secondary space, reflecting the likely original use of the attic floor for accommodation for servants. In that respect the proposal would not compromise the historic interest of this part of the building by obscuring its original character or function.
13. I conclude therefore that, although the proposed change to the dormer would be modern in nature, it would preserve the historic and architectural special interest of the building, and would not cause harm to its significance. In that respect it would accord with the provisions of the National Planning Policy Framework (the Framework).
14. It would, furthermore, not conflict with policy CL4 of the Royal Borough of Kensington and Chelsea Consolidated Local Plan 2015 (the LP) which requires development to protect the heritage significance of listed buildings.

Conservation Area

15. The appeal building sits within the De Vere Conservation Area, the special character of which is derived from its sequence of distinctive nineteenth century planned, suburban, residential developments. The appraisal of the conservation area which has been put before me indicates that the houses on Launceston Place represent an early phase in the conservation area, the development of the Inderwick Estate, and contribute positively to it through their largely unaltered Regency design and the suburban character of their layout.

16. While rear elevations of buildings and roof scapes are also important elements of the conservation area, as I have concluded above, the proposed altered dormer would be likely to have only a very limited effect on the appearance of the house and of the existing roofscape. I conclude that it would therefore preserve the character and appearance of the surrounding conservation area, and would not cause harm to its significance, in compliance with the aims of the Framework.
17. Consequently the proposal would comply with the requirements of policies CL1 and CL2 of the LP in respect of development which respects its context, with policy CL3, which requires development to preserve or enhance the character or appearance of a conservation area, and with policy CL4, which requires development to protect the heritage significance of listed buildings. It would not conflict with the requirements of policies CL6 and CL8 of the LP in respect of the requirement for alterations which do not harm the existing character and appearance of the building, nor its context, nor with policy CL11 which requires development to protect and enhance views that contribute to the character and quality of the area.

Conditions

18. The council has provided suggested conditions in relation to both appeals, on which the appellant has had an opportunity to comment. In the interests of clarity conditions are added in respect of both requiring implementation of the proposals in compliance with the approved plans. In the interests of preserving the special interest of the listed building and the character and appearance of the conservation area, a condition is attached to the decision on Appeal B requiring works of making good to match existing.

Conclusion

19. For the reasons given above therefore, and taking into account all matters raised, I conclude that Appeal A and Appeal B should be allowed.

S J Buckingham

INSPECTOR