
Appeal Decisions

Site visit made on 6 September 2019

by Mr J P Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2019

Appeal A: APP/K5600/W/19/3228764 **16 Addison Road, London W14 8DJ**

- 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 Vestergaard-Poulsen against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/18/08588, dated 21 December 2018, was refused by notice dated 27 February 2019.
 - The development proposed is minor internal alterations and redecoration to a Grade II listed building including excavation work to alter floor levels; alterations to external openings and to the appearance of later additions; the formation of new roof lights and a planted sedum roof; formation of a roof terrace with access from the first floor; formation of access lightwell; alteration to parapet height; replacement and relocation of external AC condensers.
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Appeal B: APP/K5600/Y/19/3228765 **16 Addison Road, London W14 8DJ**

- 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 Vestergaard-Poulsen against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref LB/18/08589, dated 21 December 2018, was refused by notice dated 27 February 2019.
 - The works proposed are as described in relation to the development subject of Appeal A
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Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for minor internal alterations and redecoration to a Grade II listed building including excavation work to alter floor levels; alterations to external openings and to the appearance of later additions; the formation of new roof lights and a planted sedum roof; formation of a roof terrace with access from the first floor; formation of access lightwell; alteration to parapet height; replacement and relocation of external AC condensers at 16 Addison Road, London W14 8DJ in accordance with the terms of the application, Ref PP/18/08588, dated 21 December 2018, subject to the conditions in the Conditions Schedule below.

Appeal B

2. The appeal is allowed and listed building consent is granted for minor internal alterations and redecoration to a Grade II listed building including excavation work to alter floor levels; alterations to external openings and to the

appearance of later additions; the formation of new roof lights and a planted sedum roof; formation of a roof terrace with access from the first floor; formation of access lightwell; alteration to parapet height; replacement and relocation of external AC condensers at 16 Addison Road, London W14 8DJ in accordance with the terms of the application Ref LB/18/08589, dated 21 December 2018 subject to the conditions in the Conditions Schedule below.

Main Issues

3. The main issues with these appeals are whether the proposal would preserve the special architectural or historic interest of this Grade II listed building, whether it would preserve the character or appearance of the Holland Park Conservation Area, and whether it would harm the significance of either of these designated heritage assets.

Reasons

4. The appeals concern a semi-detached villa that dates from the early 19th Century. Overtime it has been much altered but despite this the scale, plan form and external detailing of the original building are still apparent, and these contribute to its significance as a designated heritage asset. Of particular note is a large, predominantly flat-roofed addition on the northern side (the side extension) that dates initially from the late 1920's. Whilst it is accepted that this forms part of the evolution of this historic building, its scale and form mean its contribution to the building's significance is, in my judgement, limited.
5. The site is within the Holland Park Conservation Area. Although this contains a number of modern developments, its significance arises from it still displaying the characteristics of a prestigious area of suburban growth from the early 19th Century. This is apparent from the many large villas that date from that period, together with the layout of roads, parks and other spaces. Given the age and character of No 16, the appeal property adds positively to this significance.
6. At the time of my visit the house was undergoing extensive refurbishment. Some of the works seemed to relate to what had been previously consented, but they also included some of the elements specifically before me.
7. The proposal involves the demolition of a wall in the closet wing at basement level to create an enlarged space for an en suite. This wall had already been removed when I visited, and from the submissions before me it is difficult to establish its precise age. However, I am aware that this space is now fully contained within the building as a consequence of the side extension. This means it is not readily appreciated as part of the closet wing, but in any event the wall is not being re-sited to such a degree as to undermine any perceived role in this regard. Therefore, I consider this aspect of the works would not harm the significance of the asset.
8. It is also intended to form a terrace on the roof of the side extension that would be enclosed with railings. It would inevitably result in a certain amount of paraphernalia such as benches, parasols and so forth, being kept there for appreciable lengths of the year, and would also give rise to activity on the roof.
9. As the terraced area would be set back from the frontage, from the road the railings would not be readily visible while views of taller items such as parasols would be much concealed. The railings, furniture and associated activity would, no doubt, be more apparent from the upper floors of the properties

opposite, but they would be seen in the context of the varied roof form of this extension, which would reduce their dominance.

10. Looking from the rear garden and the houses behind, the side extension is apparent as an addition to the original building, with its clear horizontal emphasis being notably different to the arrangement of the older part of the house. From these views, the strong line of railings along the patio could also be seen. Given these points, introducing a further line of railings higher up that reflects the extension's horizontal emphasis would not be alien and would not harm the building's significance. Again, any activity and furniture on the roof would be noticeable but, as this element is clear and distinct from the original, I am not satisfied that harm would be caused to the heritage asset.
11. The elevation on the northern side is much concealed, and from where it can be seen, for the reasons given above in relation to the rear view, I consider this aspect of the scheme would not be harmful. Whilst the Council described the railings' relationship with the chimney as being '*awkward*' I see no basis for this opinion, and I consider what is proposed is a reasonable response to a chimney on the side of this flat roofed area.
12. To access the terrace a door would be formed in the closet wing. I appreciate that closet wings do not customarily have such doors in them. However, while this element of the wing sits comfortably on the building, it dates from only about 30 years ago. Moreover, given the distances from which it would be seen, with appropriate detailing the door would be inconspicuous when closed, which would be for much of the time. For the limited periods when it would be open it would be more apparent, but again it is substantially concealed when looking from the front. Therefore, taking these factors together I am satisfied that the roof terrace, together with its access, would not be harmful.
13. There was also concern about the absence of details relating to the service runs from the plant room. As these would be below the side extension they do not impinge on the significance of the listed building and they can be adequately addressed by means of a condition.
14. The Council raised no objections to the various other aspects of the works now proposed, and on the evidence before me I have no reason to come to a different view.
15. For the reasons given above, I further consider that what is before me would not fail to preserve the character or appearance of the conservation area.
16. Having regard to the historic significance of the building, conditions would need to be imposed requiring agreement of the window details, the details of the terrace door and the service runs, while the materials should be matching, certain single-glazed windows should remain as such, underpinning should be prohibited, plasterwork should not be renewed unless unsound, and detailing within the building should be retained.
17. Moreover, the plant room should have suitable systems in place to ensure no noise or vibration nuisance so as to protect living conditions.
18. However, as the works seem to have started there is no requirement for commencement conditions. Moreover, I see no need for details of the plant to be installed in the plant room or, given my findings in relation to the wall to the en suite, for a revised basement plan to be agreed. Finally, with the imposition

of the noise condition I am aware of no specific need to require compliance with the noise survey.

19. Accordingly, I find the works would not harm the special architectural or historic interest of this Grade II listed building, or fail to preserve the character or appearance of the Holland Park Conservation Area. As such, they would not harm the significance of either of these designated heritage assets. Consequently, they would not conflict with Policies CL1, CL2, CL3, CL4, CL9 & CL11 of the Council's *Consolidated Local Plan*, which broadly seek to ensure new development and works are of a high-quality design that conserve the heritage assets in the Borough. The appeals are therefore allowed.

J P Sargent

INSPECTOR

Conditions Schedule for Appeal A

- 1) Unless otherwise modified under the conditions listed below, the development shall be carried out in accordance with the following drawings (all prefixed GSA948_): DEM102 Rev C; DEM103 Rev C; DEM104 Rev C; DEM105 Rev C; PL201 Rev C; PL202 Rev G; PL203 Rev D; PL204 Rev E; PL205 Rev D; PL206; PL207 Rev C; PL208 Rev B; PL209 Rev C; PL210 Rev D; PL211 Rev F; PL212 Rev C; PL213 Rev D; PL300_1; PL300_2; PL300_3; PL300_4; PL301; PL302; PL303; PL304; PL305_1; PL305_2; PL306_1; PL306_2; PL306_3; PL307; PL308; PL309; PL310; PL311; PL312_1; PL312_2; PL312_3; PL313.
- 2) All works and making good shall be finished to match the exterior of the building in respect of materials, colour, texture, profile and (in the case of brickwork) facebond and pointing.
- 3) Notwithstanding the details on the approved plans, the side window to the rear bathroom at basement level, the windows to the basement and ground floor level of the rear bay and the window to the side wall of the closet wing at ground floor level must be of timber and be single glazed. Moreover, before any of these windows are installed, detailed elevations (at a scale of 1:10) and sections (at a scale of 1:5) shall be submitted to and approved in writing by the Local Planning Authority. Each of the windows shall then be installed in accordance with the approved details, and thereafter retained in accordance with those details.
- 4) Notwithstanding any details on the approved plans, before the replacement rear doors in the existing modern extension are installed elevations (at a scale of 1:10) and sections (at a scale of 1:5) shall be submitted to and approved in writing by the Local Planning Authority. The doors shall then be installed in accordance with the approved details, and thereafter retained in accordance with those details.
- 5) Before the door to the roof terrace is installed, details of its framing, its materials and its finishes, its closing mechanism and its furnishings shall be submitted to and approved in writing by the Local Planning Authority. The door shall then be installed in accordance with the approved details, and thereafter retained in accordance with those details.
- 6) Noise emitted from building services plant and vents shall not exceed a level of 10dBA below the existing lowest LA90(10min) background noise level at any time when the plant is operating, and where the source is tonal it shall not exceed a level of 15dBA below. The noise emitted shall be measured or predicted at 1m from the façade of the nearest residential property or 1.2m above any adjacent residential garden, terrace, balcony or patio.
- 7) Any plant shall only operate if mounted on anti-vibration mounts, the details of which have first been submitted to and approved in writing by the Local Planning Authority, and the plant shall thereafter remain mounted on those anti-vibration mounts.

Conditions Schedule for Appeal B

- 1) Unless otherwise modified under the conditions listed below, the works shall be carried out in accordance with the following drawings (all prefixed GSA948_): DEM102 Rev C; DEM103 Rev C; DEM104 Rev C; DEM105 Rev C; PL201 Rev C; PL202 Rev G; PL203 Rev D; PL204 Rev E; PL205 Rev D; PL206; PL207 Rev C; PL208 Rev B; PL209 Rev C; PL210 Rev D; PL211 Rev F; PL212 Rev C; PL213 Rev D; PL300_1; PL300_2; PL300_3; PL300_4; PL301; PL302; PL303; PL304; PL305_1; PL305_2; PL306_1; PL306_2; PL306_3; PL307; PL308; PL309; PL310; PL311; PL312_1; PL312_2; PL312_3; PL313.
- 2) All works and making good shall be finished to match the exterior of the building in respect of materials, colour, texture, profile and (in the case of brickwork) facebond and pointing.
- 3) Notwithstanding the details on the approved plans, the side window to the rear bathroom at basement level, the windows to the basement and ground floor level of the rear bay and the window to the side wall of the closet wing at ground floor level must be of timber and be single glazed. Moreover, before any of these windows are installed, detailed elevations (at a scale of 1:10) and sections (at a scale of 1:5) shall be submitted to and approved in writing by the Local Planning Authority. Each of these windows shall then be installed in accordance with the approved details, and thereafter retained in accordance with those details.
- 4) Notwithstanding any details on the approved plans, before the replacement rear doors in the existing modern extension are installed detailed elevations (at a scale of 1:10) and sections (at a scale of 1:5) shall be submitted to and approved in writing by the Local Planning Authority. The doors shall then be installed in accordance with the approved details, and thereafter retained in accordance with those details.
- 5) Unless specifically stated on the approved plans, no existing joinery, cornices, fireplaces (including the fireplace in the living room), floorboards, lath and plaster and other architectural details shall be removed from the building, and plasterwork shall only be replaced where it is unsound, and in those circumstances it shall be replaced on a like-for-like basis with any lime plaster shall be replaced with lime plaster, and laths shall replace laths.
- 6) The works hereby permitted shall at no time underpin the original 19th Century building unless otherwise agreed in writing by the Local Planning Authority.
- 7) Before any service runs from the plant room are installed details of their routing shall be submitted to and approved in writing by the Local Planning Authority. The service runs shall then be installed in accordance with the approved details, and thereafter in accordance with those details.
- 8) Before the door to the roof terrace is installed, details of its framing, its materials and its finishes, its closing mechanism and its furnishings shall be submitted to and approved in writing by the Local Planning Authority. The door shall then be installed in accordance with the approved details, and thereafter in accordance with those details.