
Appeal Decision

Site visit made on 7 September 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 7 October 2020

Appeal Ref: APP/K5600/D/20/3252254

41 Clarendon Road, London W11 4JB

- 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 Furze against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/20/0540, dated 24 January 2020, was refused by notice dated 24 March 2020.
 - The development proposed is extension of the second floor including a dormer window.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issue is the effect of the proposal on the character and appearance of 41 Clarendon Road and whether the proposal would preserve or enhance the character or appearance of the Ladbroke Conservation Area.

Reasons

4. 41 Clarendon Road is located within the Ladbroke Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The character of the CA is derived from the quality and layout of the buildings, its spacious layout of crescents, streets, and communal and private gardens, with views towards the outer boundaries of the CA, including Clarendon Road which lies on the outer edge of the CA. Many of the buildings are in terraced form and individual detached houses appear to be rare.
5. The dwelling is an imposing detached villa, dating from around 1845, located at the junction of Clarendon Road and Lansdowne Walk. The villa is an individually designed property and is an impressive focal point when viewed along Lansdowne Walk, an important view within the CA. The property appears as a three-storey dwelling from the front but also includes a lower ground floor and

additional accommodation in the roofspace. It is a broadly symmetrical three bay property with recessed wings to the sides. The central section is emphasised by a decorative parapet. The window surrounds and lower floors are stucco with the upper floors brick construction. The domestic scale and unique appearance of the property contrasts with larger buildings and terraces nearby. It makes a positive contribution to the CA.

6. The appeal proposal seeks to increase the height of both stepped side wings, which are currently two storey, to three storey to create additional living accommodation and to increase the height of the parapet wall.
7. The Ladbroke Conservation Area Character Appraisal (2015) (CCA) identifies that an important characteristic of the CA is gaps between the buildings which help to create a high quality environment with a feeling of spaciousness. It also identifies that reduced gaps above low side extensions are a positive feature and should continue to be preserved against incremental change.
8. I acknowledge that the proposed extensions have been designed to reflect the characteristics of the building particularly the fenestration. However, the building currently has a strong vertical emphasis which would be diminished by the construction of second floor extensions to the side wings. Whilst it is acknowledged that the wings would be recessed from the front elevation, the increase in their height and massing would infill the important gaps between the buildings which are identified in the CCA.
9. It is acknowledged that buildings do change and evolve over time, often in response to changes in occupiers' requirements. Indeed there have been several previous alterations to the host dwelling, including the addition of one of the first floor side wings. Whilst I acknowledge that the building would remain a focal point in an important view, the changes to the proportions of the building, and the reduction of space around it, would be detrimental to the appearance of the building and the spatial arrangement of the site and street scene.
10. For the above reasons, the proposed development would not preserve or enhance the character or appearance of the CA. Consequently, the development would not meet the statutory tests set out in the Act and conflicts with policies CL1, CL2, CL3 CL8, CL9 and CL11 of the Royal Borough of Kensington and Chelsea Local Plan (2019) and the aims of the National Planning Policy Framework. Amongst other things, these seek to ensure that development preserves or enhances the character or appearance of Conservation Areas and respects to the character of the area.
11. The works would affect only part of the conservation area and therefore in terms of the Framework, the harm caused to its significance would be less than substantial. The approach in paragraph 196 of the Framework is that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal. In this case no public benefits have been put forward.
12. Whilst I acknowledge the appellants need for additional living space, this is a private benefit and there are no public benefits that outweigh the harm to the CA, which given the requirement of the Act and advice in Paragraph 193 of the Framework, carries great weight.

Conclusion and Recommendation

13. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR