



Appeal Decision

Site visit made on 14 September 2020

by G D Jones BSc(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2020

Appeal Ref: APP/K5600/Y/20/3245579

3 Ladbroke Gardens, London W11 2PT

- 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 Mrs McConnon against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref LB/19/04253, dated 13 June 2019, was refused by notice dated 10 December 2019.
 - The works proposed are described as *rear conservatory extension at lower ground floor level and minor internal works at basement and lower ground floor*.
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Decision

1. The appeal is dismissed and listed building consent is refused for proposed works described as a 'rear conservatory extension at lower ground floor level and minor internal works at basement and lower ground floor'.

Preliminary Matters

2. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The evidence indicates that revised drawings for the appeal scheme were submitted to the Council in November 2019, prior to the application's determination. However, the decision notice refers to the application having been 'completed' in October and indicates that it was determined on the basis of a different scheme as shown on an earlier set of drawings. On that basis and bearing in mind that it is unclear whether or not the revised drawings were the subject of consultation, I have based my decision on the drawings listed on the decision notice rather than the November revisions.

Main Issue

4. The main issue is the effect that the proposed works would have on 1-14 Ladbroke Gardens as a Grade II listed building, on the Grade II listed Ladbroke Estate Registered Park and Garden and on the character or appearance of the Ladbroke Conservation Area.

Reasons

5. The appeal property is a house located within a terrace. A substantial portion of the terrace, 1-14 Ladbroke Gardens, is a Grade II listed building (the LB). The properties within the terrace each have a small, enclosed private garden

space immediately to their rear. Beyond these stands a reasonably substantial private park known as Arundel and Ladbroke Gardens (A&LG), which extends to the rear of the entire terrace providing communal amenity space for residents of the appeal terrace and those of a similar terrace to the north. A&LG is typical of the other numerous communal gardens in the area that collectively form the Grade II Registered Historic Park and Garden of the Ladbroke Estate (the Ladbroke Estate HP&G). The LB and A&LG stand within the Ladbroke Conservation Area (LCA).

6. Much of the significance of the LCA lies in its communal gardens and their functional and physical relationship with the properties they serve. Unusually for residential estates built in the early to mid-1800s, the communal gardens of the Ladbroke estate are situated behind the houses, accessed directly from the owners' homes rather than by crossing a street into a central square as was usual at that time. In turn, much of the significance of A&LG, as part of the Ladbroke Estate HP&G, lies in its relationship with these neighbouring terraces and in its contribution to the character and appearance of the LCA.
7. The LB dates from the 1850s. Its significance and special interest stem primarily from its architectural quality and from it being a fine example of the terraces that are typical of the LCA. While not as elaborate as the front elevation, the rear of the LB, facing A&LG, is nonetheless reasonably finely detailed. It has also largely retained its original appearance, including its stuccoed finish, and the strong rhythm of its openings and its lower ground floor balcony terraces above the basement-level private gardens. Although it has been subject to some alterations, the rear elevation of No 3 has very largely retained these features and characteristics. Part of the LB's significance and special interest also lies in its relationship with A&LG, as described above.
8. The proposed works principally comprise a rear conservatory that would stand on the lower ground floor balcony terrace. Due to the substantial change in ground levels from front to rear, when viewed from the rear the conservatory would have the appearance of being at first floor. It is also proposed to enlarge an existing window to form a new doorway that would connect the proposed conservatory with a hallway of the existing house.
9. Due to its size, form and elevated position, the proposed conservatory would significantly disrupt views of No 3 and the rhythm described above to the detriment of the character and appearance of the LB at large, undermining its historic relationship with A&LG. The proposed enlargement of the opening linking the house to the conservatory would also have a negative, disrupting effect in that regard, as would the uncharacteristic additional light spillage from the conservatory that is likely to result. While I note that No 4, immediately next door to the appeal site, has a similar existing conservatory, the evidence indicates that this does not have any form of planning consent, such that I give its presence very limited weight only.
10. The resulting harm to the LB's and to the LCA's significance would both be less than substantial in the terms of para 196 of the National Planning Policy Framework (the Framework). Given the statutory duties outlined above regarding listed buildings and conservation areas, the identified harm to the LB and to the LCA each carry substantial weight against the proposed development, such that they comfortably outweigh the relatively modest public benefits suggested.

11. Whilst there is no comparable statutory protection to the setting of Registered Parks and Gardens, in stating that great weight should be given to the conservation of all designated heritage assets, paras 193 and 196 of the Framework also apply to the Ladbroke Estate HP&G such that the harm in this regard also carries substantial weight that also comfortably outweighs the suggested public benefits.
12. Therefore, the proposed works would fail to preserve the special historic interest of the Grade II listed building, the significance of the Ladbroke Estate HP&G or the character and appearance of the LCA, thus failing to satisfy the requirements of the Act and para 192 of the Framework. It would also conflict with Policies CL4 (Listed Buildings) and CR5 (Registered Parks and Gardens) of the Kensington and Chelsea Local Plan 2019.

Conclusion

13. For the above reasons, I conclude that the appeal should be dismissed.

G D Jones

INSPECTOR