



Appeal Decision

Site visit made on 8 September 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st October 2020.

Appeal Ref: APP/X5990/W/20/3252391

Eresby House, Rutland Gate, London SW7 1BG

- 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 Eresby House Freehold Ltd against the decision of the City of Westminster Council.
 - The application Ref 19/09885/FULL, dated 17 December 2019, was refused by notice dated 26 February 2020.
 - The development proposed is for a new service riser encasement from ground to seventh floor of existing north east and south west elevation of Eresby House.
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Decision

1. The appeal is allowed, and planning permission is granted for a new service riser encasement from ground to seventh floor of existing north east and south west elevation at Eresby House, Rutland Gate, London SW7 1BG, in accordance with the terms of the application, Ref 19/09885/FULL, dated 17 December 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: (411)1806-GWP-01-01-DR-A-(PA)-0001; (411)1806-GWP-01-01-DR-A-(PA)0002 P02; (411)1806-GWP-01-01-DR-A-(PA)-0003 P02; (411)1806-GWP-01-01DR-A-(PA)-0004 P02; (411)1806-GWP-01-01-DR-A-(PA)-0005 P02 and (411)1806-GWP-01-01-DR-A-(PA)-0006 P02
 - 3) Demolition or construction works, including piling and excavation, shall only take place between 08.00 and 18.00 Monday to Friday, and between 08.00 and 13.00 on Saturdays, and not at any time on Sundays or on Bank or Public Holidays.
 - 4) No development shall commence until a sample panel of the materials to be used in the construction of external surfaces of the service risers hereby approved showing all new facing brickwork, face-bond and pointing mortar has been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved sample panel.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of Eresby House; and

- whether or not the proposed development would preserve or enhance the character or appearance of the Knightsbridge Conservation Area.

Reasons

Existing Building

3. Eresby House comprises a large block of flats located on the east side of Rutland Gate. It is designated as an unlisted building of merit, dating from the 1930s. Its notable features, according to the Council's conservation area audit (CAA)¹, include the decorative front balconies, the symmetrical stone central entrance and the curved corners of the projecting front wings. Together with the symmetrical arrangement and vertical alignment of windows, I consider that the building has an attractive appearance in the street.
4. Positioned on the exterior of the two outer L-shaped front wings, the Council indicate that the service risers would be just over 1m wide and 0.26m deep. They would encase pipework required for the servicing of the appeal building and each would extend vertically from the ground floor to the seventh floor of the building.
5. The proposed risers with their slim vertical formation would not disrupt the general rhythm of the elevations upon which they would be located. Moreover, they would be in keeping with the alignment of existing windows and the exposed black pipework that rises from the ground floor to just below the roof parapet. The risers would project modestly from the exterior face of the building and with the matching brick finish they would appear discreet and blend into the appeal building. Furthermore, they would be orientated away from the main front elevation, with its distinctive arrangement of balconies and the stone central entrance, so as not to impair those features of the building that contribute towards its local significance.
6. Therefore, taking these factors into account, the proposed development would not harm the character and appearance of Eresby House. It would comply with Policies DES 1 and DES 5 of The City of Westminster Unitary development Plan, adopted January 2007 (the UDP) and Policy S28 of the Westminster City Plan, adopted November 2016 (the City Plan). Together, these policies require, amongst other things that proposals are in keeping with the character of the building and that alterations are in keeping with the scale of the building and do not visually dominate it.

Conservation Area

7. Eresby House is located within the extensive Knightsbridge Conservation Area (KCA). I have therefore attached considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the Conservation Area (CA) in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, I have had regard to the Council's CAA.
8. In the wider context, notable features that contribute to the special character of the KCA include a number of grand residential terraces arranged around formal landscaped squares. This townscape is evident in the southern half of Rutland Gate to the south of the appeal building, where 19th century residential terraces have imposing projecting porches set on columns that make an important contribution to the street scene. Despite, being somewhat out of scale with the grandeur and intimacy of Rutland Gate's southern half and angled away from the street, Eresby

¹ Conservation Area Audit and Management Proposals – Knightsbridge, Knightsbridge Green and Albert Gate, adopted April 2009

House, is nevertheless an attractive building with distinctive art deco detailing that makes a moderate contribution to the KCA.

9. I have found that the proposed service risers would not harm the character and appearance of Eresby House. They would blend into the building and be consistent with the arrangement and scale of existing detailing on its elevations, such that they would alter the building's appearance very little in the context of the street. Moreover, the north east service riser would not be clearly visible from Rutland Gate, as it would be partly concealed by the existing left-hand projecting wing, whilst being set back from the road. Therefore, the proposed development would have a neutral effect on the character and appearance of the KCA.
10. Consequently, the proposal would preserve the character and appearance of the Knightsbridge Conservation Area. It would comply with Policy DES 9 of the UDP and Policy S25 of the City Plan, which, amongst other things, require proposals to preserve or enhance the character of conservation areas, including the use of appropriate materials to upgrade buildings sensitively.

Other Matters

11. My attention has been drawn to the Grade II listed building at Nos 27-42 Rutland Gate (Nos 27-42), a short distance to the south of Eresby House. This four-storey residential terrace has grand projecting porches and incorporates elaborate detailing around windows and doors. The setting of this listed building is derived from its relationship to the formal landscaped square it faces and the symmetry with the near identical terrace on the opposite side of the street at Nos 48-65 Rutland Gate. These features provide enclosure and a tranquil ambience that contributes towards the significance of the listed building.
12. Eresby House is set back from the front building line of Nos 27-42. Although the proposed south west service riser would be seen from the street in context with Nos 27-42, it would have a discreet presence on the appeal building that would not disrupt the appearance of the listed building and those aspects of its setting that contribute towards its significance.
13. I have had regard to the Neighbourhood Plan policies referred to by the third parties and their intent is broadly in line with the policies I have detailed in concluding on the main issues above. Third parties have also indicated that the appellant has not referenced the Council's emerging development plan. However, it has been indicated that this is currently at examination stage, and given its current status, this is not a matter which has a significant bearing on my considerations in this case.

Conditions

14. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance, amending them where necessary. I have also sought agreement from the Appellant to the pre-commencement condition.
15. In addition to the standard time limit condition I have imposed a condition that lists the approved plans for reasons of precision and to ensure the development is carried out as approved. A condition controlling the hours of construction is considered necessary to protect the living conditions of nearby residential occupiers.
16. A condition requesting samples of the external facing materials is considered necessary in the interests of the character and appearance of the appeal building and surrounding conservation area. There is an element of duplication in the

Council's suggested conditions in respect of material finishes. Therefore, I have taken account of the intent of these and consolidated them into a single condition.

Conclusion

17. I have found that the proposed development would not harm the character and appearance of Eresby House, while it would preserve the character and appearance of the Knightsbridge Conservation Area. I therefore allow the appeal subject to conditions.

R. E. Jones

INSPECTOR