

Appeal Decision

Site visit made on 15 October 2020

by David Fitzsimon MRTPI

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

Decision date: 28th October 2020.

Appeal Ref: APP/K5600/D/20/3251020

4 Argyll Road, London W8 7DB

- 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 Ben Gulliver against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application Ref PP/20/00166, dated 7 January 2020, was refused by notice dated 3 March 2020.
 - The development proposed is 'the remodelling of the pitched roof at the front to a mansard roof and the insertion of two neo-flush rooflights to replace the three existing rooflights'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host dwelling, the wider street scene and the Kensington Conservation Area.

Reasons

3. The appeal relates to an imposing mid-terrace period dwelling which sits within a long row of similar properties set back from the pavement behind shallow front gardens. It is recognised as a 'positive building' by the Kensington Conservation Area Character Appraisal (KCACA) and the broad uniformity of the buildings within the row makes a positive contribution to the Conservation Area itself.
4. The appeal property already has a mansard to the rear. This proposal seeks to alter the existing front roof profile to a mansard to gain more useable space.
5. The appellant points to the fact that many of the houses within Argyll Road and the surrounding streets have a front mansard similar to that which is proposed, and refers to several specifically, including those which have been granted planning permission at Nos. 25, 49 and 55.
6. The KCACA highlights the fact that there have been considerable alterations to the rooflines within the Phillimore Estate (within which the appeal dwelling sits), from minor adjustments to the addition of complete floors either within a mansard or under a new flat roof. The KCACA goes on to say that many of the houses have modern mansard extensions which have much less heritage

value, but which are acceptable where they have been applied to the majority of the houses in a terrace or group and are of an appropriate design.

7. To this end, policy CL8 of the adopted Kensington and Chelsea Local Plan (LP) states that the Council will permit additional storeys and roof level alterations where the character of a terrace or group of properties has been severely compromised by a variety of roof extensions and where infilling between them would help to reunite the group. However, this policy also explains that additional storeys and roof level alterations will be resisted on complete terraces or groups of buildings where the existing roofline is unimpaired by extensions.
8. It seems to me that the determining factor in this case is whether the appeal property sits within a group which has similar front mansard additions or not. As the Council accepts, there is a consistent line of mansard extensions to the northern end of the wider terrace, similar to the appeal proposal. However, the Council asserts that the appeal property forms part of a smaller group within the southern end of the terrace where there is no consistent line of such additions.
9. From my visit, I saw that at the southern end of the terrace, there were only a limited number of roof additions, including those at Nos. 2 and 6, which appear isolated within this part of the terrace. It is clear to me that this group has not been 'severely compromised' by roof additions and the proposal would not amount to an 'infilling which reunites the group'. Rather, the proposed mansard, which would occupy the full width of the roof frontage and would be recessed only slightly from the front elevation behind a low parapet, would be seen as an isolated addition which would dominate this part of the roofline.
10. The proposed front mansard would be difficult to see when walking along this part of Argyll Road due to the overall height of the terrace. However, it would be clearly visible from Stafford Terrace, from where it would be seen as an isolated and dominant feature on the roofscape. At this vantage point, the proposed mansard would be seen to harm the character and appearance of the host dwelling, the street scene and the CA.
11. The harm to the CA as a heritage asset is 'less than substantial' as directed by the Planning Practice Guidance. However, I attach considerable importance and weight to the statutory duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
12. The National Planning Policy Framework (NPPF) explains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to say that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.
13. The appellant asserts that the proposal amounts to sustainable development. However, NPPF explains that good design is a key aspect of sustainable development. As I have found that the proposal would not be appropriate to its context, it follows that it does not amount to sustainable development in the widest sense of the definition. I am mindful that the proposal would provide

additional accommodation for the appellant's family, but this, in itself, is not a public benefit. Either way, this factor does not outweigh the harm I have identified.

Overall Conclusion

14. For the above reasons, I conclude that the proposal would harm the character and appearance of the host dwelling, the wider street scene and the CA. In such terms, it conflicts with policies CL1, CL3, CL8 and CL11 of the LP which collectively promote good design that is appropriate to its context and seek to preserve or enhance heritage assets.
15. The arguments advanced by the appellant in favour of the development do not outweigh this harm and policy conflict therefore the appeal does not succeed.

David Fitzsimon

INSPECTOR