
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/20/3253058
54 Campden Street, London W8 7EL

- 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 Ms Jasmine Dellal against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application Ref PP/20/00153, dated 6 January 2020, was refused by notice dated 3 March 2020.
 - The development proposed is the erection of a mansard roof.
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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 street scene and the Kensington Conservation Area.

Reasons

3. The appeal property is a single family dwelling which I understand has been created from two buildings. The appellant explains that the smaller of the two buildings, which is single storey with a pitched roof, was converted from an artist's studio. The second building, which would accommodate the proposed mansard, is a two storey building with a parapet and flat roof. This building sits next to a noticeably taller apartment block of a modernist style which turns the corner with Campden Hill Road.
4. The northern side of Campden Street is dominated by a long terrace of three storey Georgian properties. However, the southern side of Campden Street is much more varied in terms of building styles, heights and forms; with several of the buildings containing mansard style roofs. Indeed, the Kensington Conservation Area Character Appraisal refers to the individuality of the southern side of the street. To my mind, this adds interest and variety and makes a significant contribution to the overall character and appearance of the street scene and that of the wider Kensington Conservation Area (CA).
5. The proposed mansard would be set back from the front, rear and east side elevations of the two storey building behind a parapet. I consider that the mansard would be appropriately scaled and given the variety of building forms to be found on this side of Campden Street, specifically towards the western end, the mansard roof itself would not appear out of keeping. I am mindful

that the mansard would result in the host building being taller than the roofs of the nearest dwellings to the east, but there is already some variety in this roofscape. Furthermore, these properties are separated from the host building by a walled garden and the former artist's studio. In my view, the scale of the proposed mansard would make an appropriate transition from the taller apartment building immediately to the west to the much lower former artist's studio immediately to the east.

6. Notwithstanding this, I have serious concerns that the siting and proportioning of several windows included within the mansard roof would not respond well to the fenestration arrangement of the host building. The proposed window arrangement, particularly to the front and east elevations, would somewhat imbalance the building and the overall effect would appear visually awkward. This harm would be widely visible from the public domain given the prominent position of the appeal building. As a result, it would detract from the character and appearance of the street scene and the wider CA. I am not satisfied that the imposition of a condition to require amendments to the proposed window arrangement would be appropriate because the resolution may necessitate a significant re-design.
7. 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.
8. The National Planning Policy Framework 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.

Other considerations, including public benefits

9. The appellant asserts that the proposal would use the airspace above the existing dwelling in an efficient manner, delivering a suitable family home and increasing the choice of housing stock within the Borough. Whilst this in itself could be classed as a public benefit, as accepted by the appellant, the benefit would be very small. I therefore attach only limited weight to this factor in the overall planning balance.
10. In reaching my decision, I am aware that a number of additional issues were raised at the application stage by third parties. Concerns have been raised that the proposed mansard would impact upon the quality of the outlook, access to natural light and levels of privacy currently enjoyed by some local residents. Given the scale of the mansard and its relationship to the nearest residential properties, I share the Council's view that any impact in such terms would be within acceptable parameters for such an urban location. Concern has also been raised about disruption during the construction phase, but this would be a short term impact which could be controlled, to a degree, by adherence to a suitable Construction Management Plan. The effect of the construction works on the structural integrity of nearby property has also been raised, but this is a matter more appropriately addressed by civil legislation.

Overall Conclusion

11. For the above reasons, I conclude that the proposal mansard roof would harm the character and appearance of the host property, the street scene and the CA. In such terms, it conflicts with policies CL1, CL2, CL3, CL8 and CL11 of the adopted Kensington and Chelsea Local Plan which collectively promote good design that is appropriate to its context and seek to preserve and enhance heritage assets.
12. 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