The Planning Inspectorate

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: 2nd November 2020.

Appeal Ref: APP/K5600/W/20/3245084
Thurloe Lodge, 17 Thurloe Place, London SW7 2SA

- 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 Sasi Nambiar against the decision of The Council of The Royal Borough of Kensington & Chelsea.
- The application Ref PP/19/06614, dated 27 September 2019, was refused by notice dated 14 November 2019.
- The development proposed is described as: reconfiguration of existing attic level to form improved internal spaces. Proposals include raising eaves level and addition of dormer to West elevation.

Decision

1. The appeal is allowed, and planning permission is granted for the reconfiguration of existing attic level to form improved internal spaces and raising of eaves level at Thurloe Lodge, 17 Thurloe Place, London SW7 2SA, in accordance with the terms of the application, Ref PP/19/06614, dated 27 September 2019, and subject to the attached schedule of conditions.

Procedural Matters

2. In allowing this appeal I have changed the development description to remove reference to the dormer addition to the west elevation, as this has been omitted from the scheme.

3. Section F of the appeal form indicates that the local planning authority failed to give notice of its decision within the appropriate timescale (usually 8 weeks) on an application. However, the Council had formally determined the application and issued a refusal notice within 8 weeks. Whilst that decision was not based on the amended plans submitted to the Council, I nevertheless consider that they complied with the requirements for determination. I have therefore assessed this appeal on the basis that it relates to an application that was refused planning permission for development.

4. The Council determined the application based on the original plans, however, amended drawings were submitted which removed the dormer addition to the west elevation. The Council commented on these amended drawings before it made their determination and indicated that the removal of the west facing dormer was acceptable. I have therefore determined the appeal on the basis of the amended drawings, and I have referred to these in the decision above.

Main Issues

5. The main issues in this appeal are:

- The effect of the proposed development on the character and appearance of the existing building; and
- whether or not the proposed development would preserve or enhance the character or appearance of the Thurloe/Smith's Charity Conservation Area.

Reasons

Existing building

6. The appeal building comprises a two-storey dwelling located behind the built frontages of Thurloe Place and Thurloe Square. The appeal building is accessed off Thurloe Place via a short private drive shared with Amberwood House, a large property located a short distance to the south. The appeal building is characterised by a hipped roof with tall chimneys at either end. The front elevation contains tall sash style windows and a classically designed front entrance porch.

7. The changes proposed are confined to the upper part of the appeal building, including its roof. There would be no increase to its overall height. The gap between the top of the first-floor window heads and the roof eaves would increase by 0.4m. This would be a modest increase in the context of the building's overall scale. The larger gap created would be proportionate in the context of the arrangement of existing windows, while favourably counterbalancing the relationship between the roof eaves and the first-floor windows which have a strong vertical emphasis. Moreover, the increased gap proposed would better expose the modillion on the stone banding above the first-floor windows, adding visual interest that would be in keeping with the appeal building's classical detailing.

8. The amended roof design would include a flat roof section forming its crown. This would replace the roof's original ridgeline, while also marginally increasing its mass. The proposal would still maintain the form and appearance of a hipped roof from the ground level, whilst the angle and slope of the individual roof planes that rise to meet the flat roof crown would not fundamentally change. Moreover, the increase in the overhang of the proposed roof eaves would be marginal, as denoted by the submitted drawings, such that it would not alter the overall appearance of the dwelling to any significant extent.

9. Taken as a whole, the proposed changes would not dominate the appeal building or unbalance its overall proportions, whilst its fundamental design would not be significantly altered. Consequently, the proposal would not harm the character and appearance of the appeal building. It would comply with Policies CL1, CL2 and CL8 of The Borough of Royal Kensington and Chelsea Local Plan, adopted September 2019 (the Local Plan). These require, amongst other things, that proposals respond, and are sympathetic to the character of the existing building and are of the highest architectural quality.

Conservation Area

10. The appeal site is within the Thurloe/Smith's Charity Conservation Area (TSCCA). This part of the TSCCA contains a large number of historic terraces particularly from the Georgian and Regency periods that are notable for their grand frontages and symmetrical detailing.

11. With its backland location, the appeal building sits behind the grander, more historic frontage buildings that line Thurloe Place and Thurloe Square. Despite being a recent construction, the appeal building displays a form and detailing that is consistent with some of the architectural styles in the TSCCA, most notably the large sash windows and classically designed porch. Yet it is of minor significance in the context of this part of the conservation area given its discreet position and modest scale relative to the striking historic terraces that rise above and surround it, and as such contributes very little to the special qualities of the TSCCA.

12. The surrounding buildings within the TSCCA, are primarily taller and incorporate several historic roof types such as mansard, pitched and hipped roofs. The proposed alterations to the appeal dwelling would largely maintain the fundamental shape and form of the dwelling, while in the context of the surrounding area I do not consider that they would result in the appeal building looking discordant or harming the special features that contribute to the significance of the TSCCA.

13. I conclude therefore that the proposal would preserve the character of the Thurloe/Smith's Charity Conservation Area. It would comply with Local Plan Policies CL3 and CL11 which, amongst other things, require proposals to preserve or enhance conservation areas, including important views therein. The proposal also complies with guidance contained in the Thurloe and Smith's Charity Conservation Area Appraisal, in that the proposal would preserve the features that contribute towards its significance.

Other Matters

14. The appeal building is located adjacent to Nos 12-16 Thurloe Place (Nos 12-16) and No 7 North Terrace (No 7), both of which are grade II listed buildings. The setting of No 7 includes the street and the other buildings lining North Terrace which help frame and reveal this listed building's distinctive frontage. In terms of Nos 12-16, the impressive frontage of this terrace faces tall, attractive street trees, while short front patio areas in front of each property are enclosed by ornate wrought iron railings. These features along with the open aspect onto Thurloe Place define the setting of this listed building and contribute to its significance. Given the discreet location of the appeal building behind the street frontages of Thurloe Place and North Terrace, the proposed development would not be seen to encroach into these areas, therefore ensuring that the setting of these neighbouring listed buildings is unharmed.

15. I note the third-party concerns in respect of the proposal's impact on daylight and sunlight. However, I agree with the Council's response to this matter, that the proposal's increased dimensions would not result in harm to the living conditions of these neighbouring occupiers.

Conditions

16. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. I have included the standard condition for the commencement of development. For reasons of precision and to ensure the development is carried out as approved, I have included a condition that lists the approved plans. Conditions relating to specific material finishes and limitations on what can be constructed on the appeal building's roof, are

necessary to safeguard the character and appearance of the building and surrounding area.

17. A condition requiring the approval of a construction method statement (CMP) is considered necessary to safeguard highway safety and the living conditions of nearby residents, while it will ensure that the development can be enforced against if the requirements are not met.

18. Approval of this condition is required before development commences in order to establish the relevant procedures which construction work must adhere to. I acknowledge that a CMP has been approved in relation to the previous development at this site, which is no doubt fit for purpose. However, I need to ensure that it ties in and relates to the remainder of the development I am approving.

Conclusion

19. I have found that the proposed development would not harm the character and appearance of the appeal building, while it would preserve the character of the Thurloe/Smith's Charity Conservation Area. I therefore allow the appeal subject to the conditions in the attached schedule.

R. E. Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved drawings: 0513-PL-001 Rev. 0; 0513-PL-211 Rev. B; 0513-PL-212 Rev. B; 05130513-PL-221 Rev. C; 0513-PL-222 Rev. B; 0513-PL-223 Rev. B; 0513-PL-224 Rev. B; and 0513-PL-231 Rev. B

2. The roof slopes of the roof extension hereby permitted shall be clad in natural slates, and so maintained.

3. The cheeks of the dormer windows shall be clad in lead and be so maintained.

4. The windows hereby permitted shall be timber framed, white painted, double hung, sliding sashes, and so maintained.

5. All work and work of making good shall be finished to match the existing exterior of the building in respect of materials, colour, texture, profile and, in the case of brickwork, facebond and pointing, and shall be so maintained.

6. No water tank, lift motor room, or other structure or appliance, shall be erected upon the roof.

7. No development shall take place until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved construction method statement shall be adhered to throughout the construction period for the development.

*****End of Schedule*****