



Appeal Decision

Site visit made on 1 December 2020

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/K5600/W/20/3255757

9 Lansdowne Road (Flat 5), London W11 3AG

- 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 Mrs J Green against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/19/07785, dated 15 November 2019, was refused by notice dated 20 February 2020.
 - The development proposed is the formation of black painted wrought iron balustrade over existing portico.
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Decision

1. The appeal is allowed and planning permission is granted for the formation of black painted wrought iron balustrade over existing portico at 9 Lansdowne Road (Flat 5), London W11 3AG in accordance with the terms of the application, Ref PP/19/07785, dated 15 November 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Existing Plan, Section and Elevations S-01/B,
 - Block and Location Plan BP-01/A
 - Proposed Balustrade – Plan, Section and Elevations TP-01/B
 - Detail of Proposed Wrought Iron Balustrade DT-01/A.

Procedural Matter

2. The description of development in the banner heading and formal decision above is taken from the appeal form, as that used on the planning application form included additional wording which was not descriptive of the proposal.

Main Issue

3. The main issue is the effect of the proposed balustrade on the character and appearance of the host building and the Ladbroke Conservation Area.

Reasons

4. The appeal relates to a first floor flat across three properties (9-13 Lansdowne Road). The host building was originally built as separate houses, but at some point in the mid to late 20th Century these were modified internally and externally to convert them into flats.
5. The appeal site sits within the Ladbroke Conservation Area (the Conservation Area). I therefore have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. As heritage assets are irreplaceable, the National Planning Policy Framework (the Framework) states that they should be conserved in a manner appropriate to their significance (paragraph 184). It goes on to advise that any harm or loss requires clear and convincing justification (paragraph 194) and that any harm that is less than substantial must be weighed against the public benefit of the proposal (paragraph 196).
6. The Conservation Area covers an area of substantial and well-preserved dwellings. These are mainly terraced, although there are also villas laid out in semi-detached and triplet blocks, and most of the buildings are either full or, like Nos 9-13 Lansdowne Road, half stuccoed. As well as its strong and formal buildings, the Conservation Area is characterised by its spacious urban form and, in particular, the generous communal gardens laid out behind many of the terraces. Together these factors create an attractive and well-preserved urban townscape.
7. The appeal property has a large front porch or portico, forming the access to No 11. The top of this is accessed via double doors from the appeal property, and it has been used for some time as a balcony. The terrace is surrounded by a low parapet wall and, primarily to address safety concerns, the appellant now wishes to install wrought iron railings as a balustrade set upon the existing parapet.
8. The railings would rise to around 0.55m above the parapet, and made of black-painted wrought iron. Their design would reflect railings used both at ground level and on the upper floor balconies of Lansdowne House, which lies a short distance to the south of the appeal property on the other side of Lansdowne Road. The same architect, William Flockhart, was responsible for designing Lansdowne House and remodelling Nos 11-13 Lansdowne Road at around the turn of the 20th Century. However, Lansdowne House is an eight-storey block of flats, rather more massive than the appeal property, and to reflect this and maintain proportionality the proposed railings would be at a slightly smaller scale than those at Lansdowne House.
9. The balustrade would be a very public addition to the appeal property, readily visible from the street. From what I observed on my site visit, while iron railings to balconies at upper levels such as those proposed are not so widespread as to be a defining feature of the Conservation Area, neither are they unusual. As well as those at Lansdowne House, I saw that Nos 15, 17 and 19 Lansdowne Road all had some form of balcony or balustrade railings, as indeed does the appeal property building itself, to the circular balcony above the entrance to No 9. Most of the other porticos and porches on nearby dwellings have stucco columns and are relatively light and slender in appearance, whereas that at the appeal property is brick built, and consequently more solid and substantial in appearance. While none of the other

railings is exactly of the form proposed in this case, all are slender and restrained, and none in my view detracts from their host building. Given the unique design of No 11, it is not inappropriate that the porch-top balcony should have railings which reflect its design. The proposed balustrade would be a restrained and modest addition, and in my view drawing their design from another building by the same architect in the same street is an appropriate response both to the host building and the Conservation Area.

10. I am satisfied that the proposed development would not be detrimental to the character or appearance of the host building, and the character and appearance of the Ladbroke Conservation area would be preserved. The proposal therefore complies with Policies CL1, CL3 and CL6 of the 2019 Kensington and Chelsea Local Plan, which among other things require development proposals to respond to local context, respect the existing character and appearance of buildings, and preserve or enhance the character or appearance of Conservation Areas.
11. The proposal would also comply with the provisions of the Framework which seek to conserve and enhance the historic environment. As I do not find that the proposal would cause harm to or loss of the heritage assets, it is not necessary to apply the public benefit test set out in paragraph 196 of the Framework.

Conditions

12. As well as the standard 'time limit' condition, in the interests of certainty I have imposed a condition specifying the approved drawings. No further conditions were suggested by the Council, nor in my view are any necessary.

Conclusion

13. For the reasons given above the appeal is allowed.

M Cryan

Inspector