



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: 4 February 2021

Appeal Ref: APP/K5600/W/20/3255823

First Floor Flat, 25 St. Quintin Avenue, London W10 6NX

- 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 S Beckett against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/20/02081, dated 1 April 2020, was refused by notice dated 22 June 2020.
 - The development proposed is a rear roof extension to main roof at second floor level, and new roof light to front facing main roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have been appointed to determine two appeals at 25 St. Quintin Avenue, although they differ from one another in both the nature of the proposal and the extent of the building to which they relate. The other appeal reference is APP/K5600/W/20/3256390. I have considered each proposal on its individual merits and prepared separate decisions.
3. The proposal includes a new roof light on the front roof. The Council raised no concerns about that element of the proposal, and I have limited my consideration of the appeal to the disputed proposed rear dormer extension.

Main Issue

4. The main issue is the effect of the proposed rear dormer on the character and appearance of the host building and the Oxford Gardens/St. Quintin Conservation Area.

Reasons

5. The appeal site is within the Oxford Gardens/St. Quintin 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 is principally residential in nature, with housing dating from the mid-Victorian period to the present day. The area is generally laid out in a grid of perimeter blocks on wide tree-lined streets and the diagonal roads – of which St Quintin Avenue is one – cutting across. There is a high quality of architecture throughout the Conservation Area, and much of the housing retains original features. While the fine details vary between one block and the next, there is an overall consistency of rhythm, scale and materials which contributes to the special interest and significance of the Conservation Area.
7. The appeal property is a flat occupying the first and second floors of a semi-detached Edwardian property on the southern side of St Quintin Avenue. The houses along this part of the street display great uniformity to their front elevations. While there is a little more variety at the rear, there is still a considerable degree of continuity of scale, form and design. From what I saw on my site visit the principal variation between buildings at roof level is whether the rear projection has a hipped pitched roof (as in the case of the neighbouring houses west of the appeal property) or a flat roof (as in the case of the appeal property and its neighbours to the east). Dormer windows are an exception on this part of St. Quintin Avenue, although there is a relatively small example on the immediate neighbour at No 23.
8. The flat roof at the rear of the appeal property is used as a roof terrace, which is accessed from a second-floor bedroom via a Velux-type window/door. The proposal is to provide expanded and reconfigured internal living space at second floor level by installing a dormer on the rear elevation, with three pairs of full height timber doors opening onto the roof terrace. The dormer would extend to the full width of the rear roof slope, between raised brickwork walls on either side. It would extend forward to the existing eaves line of the main roof, and although it would be set down below the main roof ridge it would therefore occupy much of the rear roof slope.
9. Policy C1 of the 2018 St. Quintin and Woodlands Neighbourhood Plan (the NP) is supportive of dormer windows on rear elevations, although it requires that they should be appropriate in terms of their dimensions and positioning with respect to party walls. In this case, the size and positioning of the proposed dormer would dominate the rear roof slope of the host building, detracting from the broadly consistent roofscape on this part of St. Quintin Avenue. In longer views from surrounding properties the width and height of the dormer mean that it would be akin to a full additional storey on the building in appearance, which would be incongruous in the context of the surrounding area.
10. The materials for the dormer would match the fabric of the existing dwelling, and the proposed central detailed brick feature would complement the front of the appeal property. In these respects therefore, the proposal would be acceptable. However, this does not outweigh the other harm I have found.
11. An extant planning permission for a rear dormer (LPA Ref: PP/17/07741) is a fallback position for the appellant, although the he has described it as an 'unremarkable box shaped addition' which would unbalance the appeal property. I agree that the dormer permitted by the alternative permission would be more functional in appearance than the proposal now before me. However, it would also be narrower and set slightly higher up the roof slope, and so would have less visual impact than the current scheme. I therefore ascribe limited weight to this fallback position.

12. The appellant has drawn my attention to several other rear dormers nearby. The Council granted planning permission in 2017 for a rear dormer at No 3 Wallingford Avenue, which is close to and visible from the appeal site (LPA Ref: PP/17/04329). It extends across the full width of the roof of its host property, but is set higher on the roof and occupies a smaller proportion of the rear roof slope than the scheme now before me. It is therefore a less prominent addition and not directly comparable to the situation in the current appeal.
13. The appellant has also referred me to an appeal decision in respect of No 52 Wallingford Avenue (Ref: APP/K5600/D/19/3234688). The Appeal Planning Officer observed in that case that the appeal site was a mid-terrace dwelling, in a part of the street where there were already a number of rear dormers of varying design, size and materials. This is not a consideration which applies in this case, as rear dormers are an unusual feature on the dwellings along this part of St. Quintin Avenue. Furthermore, that proposal was to widen an existing dormer where the height and depth would be unchanged, rather than creating an entirely new one. I therefore do not consider that scheme to be directly comparable to this appeal.
14. I find that the proposed dormer would not preserve or enhance the character and appearance of the host property and the Oxford Gardens/St. Quintin Conservation Area. Given the size of the Conservation Area, and the siting of the proposed dormer on the rear elevation of the appeal property, I consider that the harm to the Conservation Area's significance as a designated heritage asset would in the Framework's terms be less than substantial. I acknowledge that the proposal would allow the appellant to expand and reconfigure the flat, although this would be a private benefit. No public benefits arising from the from the proposal have been suggested which would outweigh the harm I have found.
15. I therefore conclude that the proposal conflicts with Policies CL1, CL2, CL3, CL6, CL8 and CL11 of the 2019 Kensington and Chelsea Local Plan (the LP), and with Policy C1 of the NP. Together these policies seek to ensure that development, respects existing context, character and appearance, that roof alterations are sympathetic to the character of the host building and group of buildings, and that heritage assets are preserved and enhanced.
16. The Council's decision notice indicated conflict with Policy C2 of the NP, but this relates to minor adjustments to roof ridge heights for insulation improvements. This is not a relevant matter in this case, and I therefore find no conflict with that policy. The decision notice also indicated conflict with guidance in the Oxford Gardens St. Quintin Conservation Area Proposals Statement, but this was superseded in March 2020 by the Oxford Gardens – St Quintin Conservation Area Appraisal which refers back to relevant LP and NP policies.

Conclusion

17. For the reasons given above the appeal is dismissed.

M Cryan

Inspector