



Appeal Decision

Site visit made on 16 February 2021

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2021.

Appeal Ref: APP/K5600/D/20/3261387

6 The Vale, London SW3 6AH

- 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 Claudia Soyoye against the decision of The Royal Borough of Kensington and Chelsea Council.
 - The application Ref PP/20/03745, dated 6 July 2020, was refused by notice dated 4 September 2020.
 - The development proposed is a rear extension at ground and first floor
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the terrace of which it forms part and whether it would preserve or enhance those of the Chelsea Park Carlyle Conservation Area (the CA).

Reasons

3. The National Planning Policy Framework (the Framework) sets out how planning authorities should seek the conservation and enhancement of the historic environment and establishes that good design is a key aspect of sustainable development, indivisible from good planning.
4. The Council has recognised the importance of this part of Kensington and Chelsea as a heritage asset through the designation of this part of the CA in 1976. The Chelsea Park Carlyle Conservation Area Character Appraisal (2017) clarifies its significance as a mature residential area that mostly comprises groups of modest residential properties, laid out as a mixture of terraces and detached/semi-detached houses that form attractive and characterful streets, which exhibit a limited palette of materials, giving the area coherence and a commonality where buildings sit in harmony with one another.
5. In line with the duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. The appeal property is located within a terrace of houses of 4 storeys with the ground floor level below the level of the street. To the front, the terrace appears to have underdone little in the way of extension or alteration, however the rear of the terrace appears to have undergone a variety of extensions and alterations, including to the appeal property. However, these appear to have been generally well considered and sit comfortably within the terrace as a whole, which retains much of its original character and appearance.
7. The proposal is for a further extension of a previous existing extension at ground/garden level and the creation of a bay window that would span the width of the appeal property at first floor level. The proposal would match the existing materials and finishes at both ground and first floor levels. The proposed bay window extension is designed in a traditional manner, matching the materials and architectural detailing to be found on the host building and other bay windows to be found on neighbouring properties in the terrace.
8. The properties either side of the appeal property have small bay windows at first floor level that appear to be later additions, these are centrally located and span approximately a third of the width of their host buildings and therefore have modest projections. The design of the proposed bay window extension appears to be a scaled up version of these more modestly scaled bay windows. As such, it would not only span the full width of the host property but would appear, from the material provided for the purposes of this appeal, to project significantly from the rear wall of the appeal dwelling.
9. This would result in the proposed extension appearing as a prominent extension, not subservient to the host dwelling and one that would appear as an overly dominant and incongruous addition that would significantly alter the appearance of the appeal property. This would detract from the terrace as a whole and the existing harmony between buildings, which helps define the character and appearance of the Conservation Area.
10. The appellant has brought to my attention other extensions and alterations with planning approvals in the immediate area, some of which are now of some age. As these extensions and alterations would have been considered on their own merits, I have given only little weight to these in my considerations.
11. I find, therefore, that the proposed development would be harmful to the character and appearance of the host dwelling and that of the terrace of which it forms part, and would fail to preserve or enhance that of the CA. In the context of paragraph 196 of the Framework, the harm to the significance of the CA would be less than substantial. This would be contrary to policies CL1, CL2, CL3, CL6, CL9 and CL11 of The Royal Borough Kensington and Chelsea Local Plan (2019), which seek to ensure that development, is sympathetic to the age and character of the host building and group of buildings and reinforces their original integrity, does not harm the character and appearance of the existing building, respects the existing context, is of high architectural and urban design quality and preserves or enhances the appearance and character of conservation areas. For these reasons the proposal would also not accord with sections 12 and 16 of the Framework.

Planning Balance and Conclusion

12. Whilst I acknowledge that the appellants have brought forward the proposal to enhance the living conditions of existing and future occupiers of the dwelling as

a single family home, planning decisions should in general be made in the wider public interest. In this context, the harm I have identified, including the less than substantial harm to the significance of the CA outweighs these benefits. Dismissing the appeal is a proportionate response in this instance.

Victor Callister

INSPECTOR