



Appeal Decision

Site Visit made on 23 February 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 March 2021

Appeal Ref: APP/K5600/D/20/3263362

9 Essex Villas, LONDON, W8 7BP

- 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 Peter Aughterson against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref PP/20/02173, dated 13 April 2020, was refused by notice dated 16 October 2020.
 - The development proposed is Construction of dormer window in rear attic slope to match the dormer at no.11 Essex Villas.
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Decision

1. The appeal is allowed, and planning permission is granted for Construction of dormer window in rear attic slope to match the dormer at no.11 Essex Villas. at 9 Essex Villas, LONDON, W8 7BP in accordance with the terms of the application, Ref PP/20/02173, dated 13 April 2020, subject to the conditions in the Schedule attached to this decision.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Kensington Conservation Area.

Reasons

3. The site lies within the Kensington Conservation Area (the CA). The Kensington Conservation Area Appraisal, February 2017 (the CAA) notes that the significance of the area lies in its highly urban form, with a high proportion of housing, in areas of different character, including the Phillimore Estate on which the site is located. The CAA highlights the important contribution and great significance of original roof forms to the character of the CA, and in particular notes the balanced architectural composition and symmetry of 1-21 (odd) Essex Villas.
4. Although the appeal site is highlighted in the CAA as being in a group of buildings which have a positive effect on the CA, the current asymmetry to the rear elevation between the site and its attached neighbour, as well as the next pair of dwellings along does detract somewhat from the otherwise regular rhythm and form of the roofscape to the rear of Essex Villas and Phillimore Place.

5. The proposal would reintroduce a balance and symmetry to the appeal site and its attached neighbour, 11 Essex Villas (No 11). It would also balance the appearance of Nos 9 and 11 with the adjoining semi-detached pair at Nos 13 and 15 which have similar dormer windows. I note the reference by the authority to a dismissed appeal for a similar proposal at 4 Essex Villas (No 4). Whilst I acknowledge that the appeal on that site was dismissed due to the potential for incremental erosion of the roofline through the introduction of a dormer, I do not consider that those conclusions are relevant to my consideration of this appeal.
6. That site and this are very different. The appeal site is currently unbalanced, an asymmetric roof within a very short run of roofs with dormers. From the details provided, it seems that the dismissed appeal at No 4 was to introduce a new dormer into an otherwise unaltered, and currently balanced, symmetrical pair.
7. I note that despite the limited public views of these rear elevations, owing to the number of properties with views towards them, the authority places great weight on their significance and the character and appearance of these roof forms. However, whilst I consider that the views from those properties are essentially private, the proposal would nevertheless improve them, by restoring the balance and rhythm to the pair and the adjacent pair.
8. In light of that, and the acknowledgement by the authority that the proposal is sensitively designed, I cannot agree that the appeal proposal would represent an incremental erosion of the architectural quality or character of the building or the area, or that the proposal would be completely uncharacteristic, alien and dominant in the area.
9. Having given great weight to the asset's conservation, I consider that the proposal would not cause harm to the significance of the CA as a heritage asset and would in fact enhance the character and appearance of the CA by rebalancing the appearance of both the site and its attached neighbour with the adjacent pair.
10. The proposal would therefore comply with Policies CL1, CL2, CL3, CL6, CL8 and CL11 of The Royal Borough of Kensington and Chelsea Local Plan September 2019 and guidance in the CAA. These policies and guidance seek, amongst other things, to ensure that development respects its character and context, particularly when dealing with heritage assets, that alterations are architecturally sympathetic and that roof alterations in particular are carefully considered. The proposal also complies with guidance in the National Planning Policy Framework on conserving and enhancing the historic environment.

Conditions

11. Having had regard to the requirements of the National Planning Policy Framework and the Planning Practice Guidance I have imposed standard conditions concerning commencement (1) and requiring compliance with the submitted plans (2), in order to ensure the satisfactory appearance of the completed development and to enhance the character and appearance of the CA.

12. The authority has suggested a number of conditions (3 and 4) to be attached, should planning permission be granted concerning the detailed materials and finish of the proposed dormer. These are necessary to ensure the satisfactory appearance of the completed development and to preserve and enhance the character and appearance of the CA. I am satisfied that the conditions meet the tests in, and requirements of both the Framework and the Planning Practice Guidance.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed, and planning permission granted.

S Dean

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. That the development hereby permitted shall be carried out in accordance with the following approved plans: 2193-sk03 Site Plan; 2193-09pB rev. B: 20.04.2018; 2193-08pC rev. C: 10.05.2018; and "PROPOSED REAR VIEW OF 9 AND 11 ESSEX VILLAS".
3. The window hereby permitted shall be timber framed, white painted, double hung, sliding sash, and so maintained.
4. The cheeks of the dormer window hereby permitted shall be clad in lead and be so maintained.

End of Schedule of Conditions