



Appeal Decision

Site Visit made on 5 May 2021

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2021

Appeal Ref: APP/K5600/D/20/3260177

6 St Mary's Place, London W8 5UE

- 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 Prestige Architects against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref PP/20/01851, dated 11 March 2020, was refused by notice dated 17 July 2020.
 - The development proposed is the construction of a dormer window extension to the rear roof slope and replacement of existing a/c condenser unit within garden to space within the roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site concerns a four storey terraced townhouse built in the early 1990's as part of the redevelopment of the former St Mary Abbots Hospital. The mid terrace dwelling forms one of 9 similar townhouses, the matching form, consistency of materials, regular spacing and configuration of this group of dwellings results in a well ordered and largely homogenous character and appearance to the street. The detailing of the dwellings includes the use of stucco, brick, black metal railing and balconies, traditional style fenestration and simple slate coloured roofing characteristic of Victorian houses. As such, the terraced group integrates successfully with the townscape to the east of the appeal site, a significant proportion of which comprises older terraced or mews style residential property. Consequently, the appeal building forms part of a terraced group that makes a positive contribution towards St Mary's Place and its interface with the adjoining generally older context.
4. The proposal would introduce a flat roof dormer window into the central part of the rear roof slope. Its width would exceed half the width of the building. The rear elevation of the dormer would comprise mostly of two large glazed sliding doors which would open onto a terraced area situated behind a glass balustrade. In addition, there would be a rooflight in the flat roof of the dormer. The dormer structure would be flanked by louvred grilles in the remaining rear roof slope. Furthermore, skylights would be placed just below the ridge line in both the front and rear roof slopes.

5. The scale and box form of the dormer window, together with the extent of fenestration and contemporary appearance of the glass balustrade would be unsympathetic to the traditional vertical proportions and detailing of the host building. When this is combined with the number of alterations to the rear roof slope, which take up the majority of the space, it would have a cluttered appearance. This would be exacerbated further by the likely presence of outdoor seating and furniture on the terrace. These factors would adversely interrupt the simple roofline of the existing building and undermine its homogeneity within a central area of the wider terraced group.
6. At my site visit I was able to glimpse the rear roof slope from Cornwall Mews West, which is reinforced by the photographs accompanying the representation¹ received. Furthermore, the appellant acknowledges that limited views of the development would be possible from upper floors of neighbouring properties². This would exacerbate the degree of harm identified, particularly, given the amount of glazing, when the proposed loft was lit.
7. Policy CL8(b)(i) of the Royal Borough of Kensington and Chelsea Local Plan, September 2019 (LP) explicitly states that the Council will resist roof level alterations on complete terraces or groups of buildings where the existing roof line is unimpaired by extensions, such as in this case.
8. In support of the proposal the appellant highlights the relatively limited visibility of the proposal in general public views given the height and compact nature of the surrounding townscape. Nevertheless, the development would be harmful to the appearance of the building. Policy CL1 of the LP requires development to contribute positively to the townscape, including the roofscape, rather than simply preventing damaging development from being seen. In any event, as already indicated, the proposal would be seen in the wider environment. The avoidance of greater harm does not count in favour of the proposal nor fulfil the requirements of policy CL2 of the LP for all development to be of the highest architectural and urban design quality.
9. Furthermore, although the building is not listed nor in a conservation area it does not follow that it, or the surrounding townscape, lacks character worthy of protection. For the reasons already outlined, it follows that the proposal would fail to be sympathetic to the local character of the built environment contrary to paragraph 127 of the National Planning Policy Framework.
10. My attention is drawn to 5 and 6 Cornwall Mews West where a mansard roof and new roof floor have been permitted³ respectively. However, both these examples relate to lower Mews properties to the east of the appeal site. As such, they do not form part of the homogenous terraced group of which the appeal building is a constituent part and therefore, they did not interfere with their roof line. Due to these significant differences with the scheme before me, they are of limited weight. In any event, I have determined the appeal proposal on its own merits.
11. Although reference is generally made to roof additions, mansards and dormers being characteristic of the area, no examples are given that relate to the terraced group within which the appeal site is situated.

¹ Public comment and photographs dated 15.6.20

² Page 22, Diagram, Design and Access Statement prepared by Prestige Architects, March 2020

³ Referenced PP/14/07476 & PP/17/02802

12. The proposal would remove an existing external air conditioning unit from the rear garden. Nevertheless, as illustrated in the photograph provided⁴, its siting to the rear of the dwelling at lower ground floor level and close to a high side boundary wall is inobtrusive and therefore, not objectionable. Hence, the limited benefit derived from its removal would not outweigh the harm identified.
13. Therefore, overall, I find that the proposal would be harmful to the host building, terraced group and wider townscape to the detriment of the character and appearance of the area. Accordingly, it would be contrary to policies CL1, CL2, CL6, CL8 and CL11 of the LP. In combination and, amongst other matters, these policies seek to ensure that development respects and makes a positive contribution to local context and views.

Conclusion

14. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

INSPECTOR

⁴ Page 11, Planning, Design and Access Statement, February 2020 prepared by Phillips Planning Services Ltd