
Appeal Decision

Site visit made on 11 May 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2021

Appeal Ref: APP/K5600/D/20/3257291

14 Avondale Park Gardens, London W11 4PR

- 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 Shawn Frazer against the decision of the Council of The Royal Borough of Kensington and Chelsea.
 - The application Ref PP/20/02437, dated 4 April 2020, was refused by notice dated 1 July 2020.
 - The development proposed is the erection of a rear first floor extension and alterations to the existing ground floor extension and existing loft conversion.
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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 building and the local area.

Reasons

3. The appeal property is a mainly 2-storey mid-terrace dwelling within the Avondale Park Gardens Conservation Area (CA). The CA is an attractive interwar residential development of simple artisan cottages in short pitched roof terraces set around a garden square. From what I saw, most properties that address the garden square retain their original features with no significant extensions or external alterations evident at roof level.
4. The Council's CA Appraisal (CAA) also notes that the terraces retain a relatively uniform roofscape. It adds that original roof forms are of great heritage significance and that these make a strong positive contribution to the character of the CA especially where they exist as a group. I share that opinion. According to the CAA, all of the buildings within the CA positively contribute to its historic and architectural character and to its appearance. I agree.
5. The new roof level extension includes a dormer, the considerable scale and mass of which would appear overly large given the modest proportions of the host building even with a sizeable ground floor rear projection in place. The solid box-like form of the dormer and its flat roof would visually accentuate the bulk of the proposal, which would jar with the shallow pitched slate roofs of the host terrace. As the only example of a roof level extension on the host terrace, the proposal would be an isolated and discordant feature that would detract

- from the intrinsic character and qualities of the dwelling and the terrace. That strong impression would be evident primarily from neighbouring gardens.
6. The top of the new dormer would also project noticeably above the main ridge. As a result, this element of the appeal scheme would be visible from the road. Standing just in front of the site, the proposal would draw the eye because it would interrupt the otherwise unbroken roofline of the terrace, which is a distinctive feature of the building in the local street scene.
 7. The CAA states that box dormer extensions to the rear of houses do not reflect the prevailing character of the area. It adds that such proposals disrupt the relatively plain and unaltered roof forms that unify each house within the terrace to the detriment of the character and appearance of the conservation area. That would be the case with the proposal before me.
 8. The roof of the new first floor rear addition would project above the eaves of the host dwelling and the base of the proposed dormer, creating an uneasy overlap between them. When seen together, the extensions at first floor and roof level would result in a cumbersome enlargement of the appeal dwelling. Combined, these extensions would overwhelm the traditional style and fundamentally alter the shape of the host building. As a result, its original form would not clearly legible. Even with appropriate external materials, which could be covered by a condition, I consider that the proposal would be an unwieldy and unsympathetic addition to the building and the local area.
 9. For these reasons, the appeal scheme would harm the historic and architectural character of No 14 and diminish its positive contribution to the significance of the CA as a heritage asset. In doing so, it would detract from the character and appearance of the CA, which would not be preserved or enhanced.
 10. It is possible that the proposal could prompt others to follow suit that in turn could lead to similar roof level extensions being introduced elsewhere on the same terrace. If that approach were to be carried out in a planned and coordinated way there would be potential to retain a rhythm to the built form and appearance of the building as the appellant's illustrations show. However, such proposals are not before me to determine and would need to be assessed on their individual merits as and when they come forward.
 11. Reference is made to several residential extensions with some background details and photographs provided. In my experience, it is rare that direct parallels can be drawn between one site and another given that local circumstances often vary. In this instance there are, it seems to me, significant differences in terms of location, proposals and characteristics between the various examples quoted such that preclude any meaningful comparisons between them and the proposal. In any event, each development should be assessed on its own merits, as the appellant acknowledges.
 12. I agree that there should be a positive strategy for the historic environment. The conservation and enjoyment of conservation areas as a place to live and visit can be achieved in mutually supportive ways. Furthermore, proposals that contrast in style, form or materials to existing development can contribute to the diversity and add to the visual interest of an area and thus safeguard if not add to its significance as a heritage value.

13. However, the National Planning Policy Framework (the Framework) makes clear that heritage assets such as conservation areas are an irreplaceable resource and should be conserved in a manner appropriate to their significance. When considering the impact of a development on the significance of a heritage asset including conservation areas, the Framework makes clear that great weight should be given to the asset's conservation. Against that background, the balance of national planning policy is firmly tipped against the proposal.
14. The harm caused by the proposal on the significance of the CA would be less than substantial. In those circumstances, the Framework states that the harm should be weighed against the public benefits. The public benefits to accrue in this case do not outweigh the harm that I have identified.
15. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host dwelling and the local area. As such, it is contrary to Policies CL1, CL2, CL3, CL8, CL9 and CL11 of the Council's Local Plan. Taken together, these policies aim to ensure that development respects the existing context and character; achieves the highest design quality; preserves or enhances the character or appearance of the conservation area and views within it; and for roof alterations to be architecturally sympathetic to the character of the building.
16. There would also be a conflict with the statutory duty, which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the CA. The proposal would also be at odds with the Framework with regard to the protection of designated heritage assets.
17. I note that the scheme was refined in the light of feedback provided by the Council at the pre-application stage. Although the additional floor area created would be modest, the proposal would provide valuable extra accommodation that in turn would improve the living conditions of the appellant's family. The appeal scheme also provides an opportunity to improve the energy performance of the building with a more efficient heating system, enhanced insulation and low energy lighting. However, these benefits do not outweigh the harm that I have identified.

Conclusion

18. For the reasons set out above, and taking into account the absence of objections from others, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR