



## Appeal Decision

Site visit made on 22 June 2021

**by P B Jarvis BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 August 2021**

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**Appeal Ref: APP/K5600/D/21/3270754**

**15 Tryon Street, London SW3 3LG**

- 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 Leopold Palmer against the decision of the Council of the London Borough of Kensington and Chelsea.
  - The application Ref PP/20/05187, dated 15 September 2020, was refused by notice dated 17 December 2020.
  - The development proposed is loft conversion to create second floor level, internal reconfigurations and all associated works.
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### Procedural Matter

1. The updated National Planning Policy Framework (the Framework) was published on the 20 July 2021. I have referred to this where relevant.

### Decision

2. The appeal is dismissed.

### Main Issue

3. The main issue is the effect on the character and appearance of the Chelsea Conservation Area.

### Reasons

4. Tryon Street is a short, narrow residential street located just off the main Kings Road. The appeal property is one of a short terrace of seven modest three storey properties, the lower level being semi-basement with steps up to the front doors with black metal railings to the front boundary. The front elevation has a parapet roof to the upper level. Only one of the properties in the terrace has a roof extension but others have been altered and extended with the original valley roofs only remaining on three of the properties, not including the appeal property which has a flat roof. It has also been extended to the rear such that only part of the original rear 'butterfly' elevation remains.
5. The narrowness of Tryon Street means that it is not possible to view the main roofs of the terrace with just the upper part of the chimneys visible. However, from further away, some limited views from the Kings Road junction to the south and from Elystan Place to the north are possible. In addition, the surrounding townscape is predominantly comprised of taller buildings including residential uses from which it appears to be agreed that it is possible to view the appeal site.

6. Policy CL8 of the Kensington and Chelsea Local Plan Development Management Policies Document (2016) (DMPD) relates specifically to roof alterations and additional storeys. Such development should be architecturally sympathetic to the age and character of the building / group of buildings and, to deliver this, part (a) of the policy states that additional storeys will be permitted where the character of a terrace of properties has been severely compromised by a variety of roof extensions and where infilling would help reunite the group.
7. The appellant suggests that, as there have been a variety of roof extensions, the appeal proposal accords with this part of the policy. However, given that there has been only one roof extension to number 15, I do not consider that there has been a 'variety of roof extensions'. Nor do I consider that the character of the terrace has been compromised as a result. In any event, I do not agree that the proposed extension would be sympathetic given its 'boxy' appearance with flat roof, notwithstanding the design of the existing roof extension at the adjoining property, the amendments made to the appeal proposal and use of sympathetic materials including tiles to the front elevation.
8. Part (b) of policy CL8 sets out a number of instances where additionally roof extensions will be resisted. This includes where terraces are already broken only by isolated roof additions. I consider that the appeal proposal also fails to comply with this element of the policy.
9. I note that public views of the proposed extension would be limited, albeit as noted above, there would be views from the surrounding properties. However, I remain of the view that the addition would not be of sympathetic character.<sup>1</sup>
10. Overall therefore, for the reasons set out above, I find that, the proposal would fail to preserve or enhance the character or appearance of the Chelsea conservation area. There would be conflict with DMPD Policy CL8 as noted above and in addition with policies CL1, CL3 and CL11 which seek high quality sustainable design, that ensures the conservation and where appropriate, enhancement of the significance, appearance and character of heritage assets and the surrounding historic environment, and that features that contribute to appearance and character are considered.
11. In respect of the National Planning Policy Framework, I find that the proposal would result in a less than substantial level of harm. Paragraph 202 states that this harm should be weighed against the public benefits of the development. I note that the development would provide an additional bedroom to enhance the living accommodation within the property. Whilst this is mainly a benefit to the existing occupants, it would nevertheless result in an enhancement to quality which could be enjoyed by future occupants. However, this benefit would not outweigh the harm identified, to which considerable weight is given.

### **Conclusions**

12. Overall, for the reasons set out, I conclude that this appeal should be dismissed.

*P Jarvis*

INSPECTOR