



Appeal Decision

Site Visit made on 14 July 2021

by J Hunter BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2021

Appeal Ref: APP/K5600/W/21/3267138

Flat 6, 13 Draycott Avenue, London SW3 3BS

- 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 Christopher McMahon against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref PP/20/04913, dated 4 September 2020, was refused by notice dated 2 November 2020.
 - The development proposed is described as construction of a roof level / loft extension to provide additional accommodation for the existing residential apartment.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a roof level /loft extension to provide additional accommodation for the existing residential apartment at Flat 6, 13 Draycott Avenue, London SW3 3BS in accordance with the terms of the application, Ref PP/20/04913, dated 4 September 2020 and the submitted drawings subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 020; 021; 100; 101; 102; 103.
 - 3) All work and work of making good shall be finished to match the existing exterior of the building in respect of colour, texture, profile and, in the case of brickwork, face bond and pointing, and shall be so maintained.
 - 4) No development shall commence until:
 - A) A Code of Construction Checklist and Site Construction Management Plan (SCMP) for the development have been approved, in writing, by the Council's Construction Management Team, and then
 - B) Copies of the approved Checklist and Plan, and their written approval, have been submitted to the local planning authority to be placed on the property record.

[The Council's Construction Management Team work independently of the planning department. For further information regarding the Code and how the required details should be submitted to them, the Council's Construction Management Team can be contacted on email at: dehcmt@rbkc.gov.uk or tel: 020 7361 3002]

Preliminary Matters

2. During the appeal the Council confirmed that the appeal site is located adjacent to but not within the Sloane Square Conservation Area (CA), I have therefore determined the appeal on that basis.
3. Since the Council determined the proposal, the revised National Planning Policy Framework has been published on 20 July 2021. Both main parties have been given the opportunity to comment and my decision is made in the context of the revised Framework.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

5. The appeal property is a small roof level apartment on the fourth floor of a five-storey terraced building. The host building is attractive and imposing with an ornate red brick front façade, bowed window detail and a curved roof level parapet wall.
6. To the rear, the terrace is constructed out of yellow London stock brick and in contrast to the uniformity of the front façade, the rear has several subtle differences in terms of height, roof detailing and fenestration design.
7. Visually, the rear of the host property forms one of a pair with the adjacent property no. 11 Draycott Avenue. These two properties have four storey outriggers where the eaves finish just above the fourth-floor windows and are topped by a shallow, hipped roof. The pair is unbalanced architecturally by a double mansard roof at the appeal property. The mansard features a steeply pitched roof with a stepped design that is unlike anything else in the vicinity and therefore appears discordant and conspicuous in the street scene particularly given that its ridge rises almost to the top of the chimneys on either side.
8. The property on the other side of the appeal property has a simpler rear elevation which appears taller due to the simple parapet wall that finishes well above the fourth floor windows, giving the impression of an additional floor. Behind the parapet wall and set back from the rear elevation there is a flat roofed dormer window. This detailing is repeated, albeit with minor differences, on the next two properties in the terrace before a quite significant change in height further along the row.
9. The proposal would see the replacement of the double mansard roof with a wider, flat roofed design that would facilitate a much larger internal living space. The eaves height of the rear outrigger would be raised up so that it would fall roughly in line with the parapet of no. 15 Draycott Avenue and a new mansard roof would slope gently away to its finished height which would be comparable to the existing dormers on the adjacent properties. There would be three new windows of a similar size and design to others along the terrace.
10. The extension would occupy the full width of the roof and whilst it would be visible between gaps in the buildings along Sloane Avenue, from the front it

would be largely hidden from view due to its set back, reduced overall height and position behind the curved parapet.

11. The Council submit that the new roof form would unbalance the appearance of the appeal property and its neighbour no.11 Draycott Avenue when viewed together. However, I consider that by virtue of its simple design, lower overall height and use of matching materials the proposed extension would be in keeping with the various roof forms along the terrace. Therefore, whilst I acknowledge that like the existing roof extension, the proposal would not, mirror the roof of no. 11 Draycott Avenue it would not cause harm to the character and appearance of the host building or the surrounding area. In this regard the proposal would accord with the requirements of Policies CL1, CL2, CL6 and CL8 of the Royal Borough of Kensington and Chelsea local Plan 2019. These policies aim to, amongst other things, ensure that new development respects the existing context, character and appearance of an area.

Conditions

12. In the interests of clarity and certainty I have imposed the standard time limit in which the development should be commenced a condition specifying the approved plans. In the interests of safeguarding the character and appearance of the area I have also imposed a condition which requires that finishing materials match the host property. However, I do not consider that the Council's suggested condition in relation to timber sash windows would meet the tests of reasonableness in the context that the building is neither listed or in a Conservation Area.
13. It is necessary to make the agreement of a construction management plan subject to pre-commencement condition in order to ensure the development is carried out in accordance with the approved details and to protect the living conditions of nearby occupiers. This has been agreed in writing with the appellant.

Conclusion

14. For the reasons set out above and taking into account all other matters raised, I conclude the appeal should be allowed.

J Hunter

INSPECTOR

