



Appeal Decision

Site Visit made on 20 October 2021

by A Edgington BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2021

Appeal Ref: APP/K5600/W/21/3272323

First and Second Floor Flat, 100 Old Brompton Road, London, SW7 3RD

- 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 M Hansen of Itchen Down Properties Ltd against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref PP/21/00527, dated 26 January 2021, was refused by notice dated 24 March 2021.
 - The development proposed is Erection of rear extensions at first and second floor levels.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Queen's Gate Conservation Area (QGCA).

Reasons

3. Number 100 Old Brompton Road (No 100) is a three storey mid-terrace with a retail outlet on the ground floor, and a flat above. It adjoins a four-storey public house to the west, and three similar terraces to the east, Nos 94, 96 and 98.
4. To the rear, Nos 94, 96 and 98 are white rendered and display considerable uniformity in their scale and typology, as well as similar fenestration. No 100 has a yellow brick elevation and single storey outrigger which extends slightly beyond the building line of the two-storey closet wings of Nos 94, 96, and 98. Its window arrangements also differ from those of Nos 94, 96 and 98. No 100 stands out in the row as a consequence of its brick facing and because the rear elevation and extension appear to be of more recent construction than the rears of Nos 94, 96, and 98.
5. Number 100's rendered front elevation also differs slightly from Nos 94, 96 and 98 in its window arrangement and the lack of a string course between the first and second floors. However, there is a seamless transition between Nos 98 and 100 at parapet level, and a very similar plot width.
6. A comparison of the 1894 map reproduced in the QGCA appraisal and the location plan, shows that the building pattern between the Gloucester Road and Clareville Grove junction has changed very little since 1894. Notwithstanding that the corner public house is of later construction, I conclude that No 100 dates from broadly the same period as Nos 94, 96 and 98.

7. The appraisal also states that although most of the larger and grander buildings in the QGCA were built between 1850 and 1875, there was an earlier period of building dating from before 1851. These buildings are predominantly found at the bottom of Gloucester Road, the Clarevilles and Old Brompton Road. It notes that there are no distinctive groups as such and whilst not of listable quality, these buildings do have architectural and historic merit, and exhibit great charm. The appraisal goes on to say that the character and scale of these areas is a welcome contrast to the higher and denser later buildings nearby. On the basis of my observations I see no reason to disagree with the appraisal and conclude that Nos 94, 96, 98 and 100 fall into the category of the buildings built before 1851 and to be found at this location.
8. The significance of the QGCA arises from the wealth of historic fabric evident in the area's terraces, even where they present with a modest scale and reduced ornamentation, as is the case here. There is also significance in the architectural rhythm derived from repetition and consistency in typology, detailing and materials. Number 100 makes a modest individual contribution to the appreciation of the 19th century building pattern and typology.
9. The development would comprise an extension to the first-floor outrigger to fill in the gap between it and the public house, and a full width second storey above.
10. Notwithstanding that No 100's rear has been rebuilt, the 1984 map shows that Nos 94, 96, 98 and 100 had closet wings. Although No 100's first floor extension diverges from the pattern in that it is one storey high and has exposed brickwork, it still reflects the scale and pattern of the rear elevations of Nos 94, 96 and 98. Filling in across the full width of No 100 at first and second floor levels would result in a substantial increase in mass. This would appear disproportionately bulky, out of scale and incongruous with Nos 94, 96 and 98. That incongruity would be reinforced by the set-back between first and second floor level which is not a feature of the rest of the terrace. I conclude that the development would erode the distinctiveness of Nos 94, 96, 98 and 100 which arises from the repetition of scale, mass and typology.
11. The Council has also found harm in relation to the glass balustrade and the appellant has indicated that this could be varied to railings. However, my concern is primarily the scale and extent of the development. Had that been acceptable I would not have found particular harm in relation to a glass balustrade, particularly as other buildings in the terrace have contemporary glazed extensions.
12. The appellant argues that the development would not be seen from the street. However, harm to the character and appearance of a conservation area is not necessarily predicated upon visibility from the public realm. Moreover, the utilitarian appearance of the terrace's rear elevation is as important to the understanding of the development of the area and its architecture, as the more formal front elevations.
13. Notwithstanding that the development would abut the much taller flank wall of the public house, it would be visible from the rear of other properties, particularly the elevated viewpoints at the rear of the Clareville Grove frontage.
14. I conclude that the distinctiveness of the QGCA would be eroded, leading to less than substantial harm to the QGCA's significance.

15. As such the development would fail to preserve or enhance the character or appearance of the QGCA and would therefore be contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), and Section 16 of the National Planning Policy Framework which is concerned with heritage assets.
16. The development would also fail to accord with Policies CL1 and CL2 of the Local Plan (LP) which taken together require development to respect the existing context and character of buildings and the area, and LP Policy CL3 which requires development to preserve or enhance the character or appearance of conservation areas. The development would also be contrary to LP Policy CL9 which requires extensions to be subordinate to the host building, amongst other considerations. It would also fail to protect or enhance the views of the rear of this terrace which contribute to the character and quality of the area, contrary to LP Policy CL11.

Other Matters

17. There is an extant permission for a full-width single storey extension and a part second storey extension. This would retain the void at second floor level which characterises the rear of Nos 94, 96 and 98. This would have a less harmful impact on the character and appearance of the QGCA than what is before me.

Conclusion

18. I conclude that the development would be contrary to the Act, Section 16 of the Framework and relevant policies of the local plan. It would be contrary to the development plan taken as a whole and there are no material considerations of such weight to lead me to reach a different conclusion. The appeal is dismissed.

A Edgington

INSPECTOR