



Appeal Decision

Site Visit made on 23 November 2021

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2022

Appeal Ref: APP/K5600/W/20/3257158

City Continental Kensington, 11-13 Penywern Road, Earls Court, London SW5 9TT

- 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 Splendid Hospitality Group against the decision of the Royal Borough of Kensington and Chelsea.
 - The application Ref PP/20/02190, dated 7 April 2020, was refused by notice dated 10 June 2020.
 - The development proposed is demolition of existing rear basement extension and erection of a two-storey (basement and ground floor) rear extension, together with a rear extension onto existing third floor terraces.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the host building and surrounding area, including whether it would preserve or enhance the character or appearance of the Earl's Court Square Conservation Area (CA); and
 - The effect of the proposal on the local visitor economy, with particular reference to appropriate hotel provision.

Reasons

Character and Appearance

3. The Earls Court Square Conservation Area Appraisal (CAA) indicates that the residential streets are made up of Victorian era terraced housing, semi-detached houses and mansion blocks that form attractive and characterful streets. The areas to the rear of properties mostly comprise shallow undeveloped gardens, that contain shrubs and tall mature trees. These verdant features soften the area's built form and provide 'breathing space' between buildings.
4. The appeal building is a large, five-storey, mid-terrace hotel that has been extended considerably at its rear. Those extensions are functional and devoid of any architectural interest, such that they do not make a positive contribution to the CA.

5. There is a deep rear basement addition extending from the appeal building to a point close to the property's rear boundary. This has a squat appearance that is largely screened and contained by the existing boundary enclosures. This allows for the existing boundary and garden trees nearby to maintain prominence at the rear of the terrace, while the extension's low-profile contributes to sustaining a sense of space between the rear elevations of buildings along Penywern Road and Earl's Court Square. Therefore, in so far as it relates to this appeal, the conservation area derives some of its significance from the green spaces and natural features at the rear of buildings.
6. The proposed two storey rear extension would replace the existing basement addition and add a further storey of accommodation at the rear. It would extend across the majority of the property's width and be built close to its rear boundary, making it prominent from neighbouring windows and gardens. The proposal would elongate the host building and increase its already substantial mass to the point where it would appear unacceptably bulky and incongruous in the context of the more subservient neighbouring façades. Moreover, the extension's depth, upward projection and angular profile would unsettle the sense of space and tranquillity at the rear of the terrace, thus harmfully eroding the character of the immediate locality.
7. The proposed third floor extensions would increase the overall mass of the building. However, cumulatively, they are smaller in scale and would have a more recessed position that would integrate better into the building's fabric. Also, they would not encroach into the rear garden or disrupt the sense of space at the rear in the same way as the rear extension would.
8. For these reasons, I find that the proposed two-storey basement and ground floor rear extension would harm the character and appearance of the host building and surrounding area, while also failing to preserve the character and appearance of the CA, the desirability of which the Act requires that special attention is paid. Additionally, the proposed development would conflict with Policy CL1, CL2, CL3., CL9 and CL11 of the Local Plan 2019 and guidance contained in the CAA. These seek, amongst other things, that developments maintain the character and appearance of the host building, contribute positively to the townscape in maintaining gaps and open space, while preserving the character or appearance of conservation areas.

Local Visitor Economy

9. The proposal would include the reduction in the number of rooms at the hotel from 74 to 64, albeit these would be within the existing building.
10. Policy CP8 of the Local Plan 2019 requires the upgrading and expansion of existing hotels where, amongst other matters there would be no loss in any residential accommodation. However, refurbishment which results in the loss of a modest number of bedspaces or floorspace may be appropriate where it can be shown to be necessary to allow the quality of the remaining rooms, or of the associated facilities, to be improved significantly.
11. Policy CF8 does not set out what detail is required to demonstrate that the reduction in bedrooms is necessary to allow for the quality of the remaining rooms to be improved significantly. Nevertheless, the submitted floor plans show noticeable improvements in floorspace of the bedrooms, with some of the smaller bedrooms increasing in length and width to be more functional and less

confined. Also, the reconfiguration and grouping of the hotel's reception, kitchen and food and drink areas appears a more logical arrangement of those communal and service areas, compared to the existing layout of those rooms.

12. Although there would be a reduction in the number of available rooms, hotels will require updating over time. The proposed rationalising of space and increase in room size, could in my view, lead to a more appealing and sustainable visitor accommodation option to a large proportion of prospective guests. Accordingly, the proposal would result in the remaining hotel rooms being improved significantly.
13. The Council's concerns in respect of the local visitor economy are noted, yet there is no compelling evidence before me that demonstrates that the reduction in the number of rooms would result in any harm to the vitality of the local centre.
14. Therefore, the proposal would not harm the local visitor economy, with particular reference to appropriate hotel provision. It would accord with the main aims of Policy CF8 of the Local Plan 2019, which is to support the visitor economy through appropriate hotel provision, while maintain the vitality of the local centre.

Planning Balance and Conclusion

15. Although there would be no harm to the local visitor economy, I have found that the proposed development would harm the character and appearance of the host building and area, including the CA.
16. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Given my findings above, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
17. I acknowledge that the development would improve the internal arrangement of rooms within the hotel and provide guests with larger bedrooms and amenities. However, the appeal has not been accompanied with any specific evidence of how this would improve the economic position of the business or the wider locality. Therefore, this attracts limited weight as a public benefit and accordingly would not outweigh the harm identified above to the significance of the CA, the conservation of which the Framework indicates that great weight should be given. I conclude therefore that the proposal would fail to preserve the special character of the CA. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and it would not be in accordance with the development plan.
18. For the reasons given I conclude that the appeal should be dismissed.

RE Jones

INSPECTOR