



Appeal Decision

Site visit made on 22 June 2022

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 06 July 2022

Appeal Ref: APP/K5600/W/22/3293585

32 Elgin Crescent, London, W11 2JR

- 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 Elgin Developments Limited against the decision of The Council of The Royal Borough of Kensington and Chelsea.
 - The application Ref PP/21/06140, dated 16 September 2021, was refused by notice dated 16 November 2021.
 - The development proposed is described as creation of new basement level with associated lightwells, extension of existing front lightwell, rear extension at lower ground floor level, replacement of existing rear extension at ground floor level, single storey side extension, alterations to fenestration and installation of new windows including roof lights, creation of dormers in replacement roof, installation of plant, new planting of tree to front of property, associated cycle storage, bin storage and landscaping.
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Decision

1. The appeal is allowed, and planning permission is granted for a rear dormer window at 32 Elgin Crescent, London, W11 2JR in accordance with the terms of the application, Ref PP/21/06140, dated 16 September 2021, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Insofar as they show details of the rear dormer window, the development hereby permitted shall be carried out in accordance with the following approved plans: 1901 P21; 1901 P22; 1901 P25; 1901 P26; 1901 P27.

Procedural Matters

2. Except for a rear dormer window, planning permission was granted for the scheme as identically described in February 2021 (the previous permission). Though it is suggested that permission be granted afresh including the dormer, the previously approved works are shown largely hatched out on the appeal plans. The appellant further states that consideration of the appeal should be limited to the rear dormer window, and this was also the basis on which the Council assessed the scheme. I have therefore considered the appeal on the basis that planning permission is sought for a rear dormer window, and I have drafted my decision above accordingly. To this end, and insofar as the dormer could be added to the rear roof slope either in the absence of, or in combination with the works subject of the previous permission, scope for simple overlap exists. The 2 schemes could thus be implemented together.

Main Issue

3. The main issue is whether the development would preserve or enhance the character or appearance of Ladbroke Conservation Area (the Conservation Area).

Reasons

4. The site is located within the Conservation Area which is a designated heritage asset. Whilst the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the desirability of preserving or enhancing the character or appearance of conservation areas, paragraph 199 of the National Planning Policy Framework makes clear that great weight should be given to the conservation of designated heritage assets.
5. Insofar as it is relevant to this appeal, the special interest and significance of the Conservation Area resides in its historic residential townscape. This predominantly comprises and is characterised by large and often ornate C19th dwellings, whose broader planned layout includes squares, crescents and gardens. The C19th dwellings lining Elgin Crescent, including No 32, form integral components of this historic townscape.
6. The straight section of Elgin Crescent within which the site is located contains a mix of large detached and terraced C19th dwellings. Within this context No 32 is one of group of detached dwellings of similar original design, which feature hipped roofs of reasonably low pitch, with a central valley. It is apparent from within the street that the front roof slopes on the whole remain reasonably intact. Public views of the rear are more constrained. Those from Codrington Mews and Blenheim Crescent towards the north are indeed both partial and partly screened, and principally feature the modified roof form of 34 Elgin Crescent. Though the latter features 2 prominent rear dormers, these are not currently present at No 32, and also appear to be absent elsewhere within the group.
7. The proposed dormer would occupy a reasonably large section of the rear roof slope between eaves and ridge, and would be wider than the original window opening within the elevation immediately below. As the identity of the latter has however been obscured by its sideways merger with a second window, no sense of imbalance would result. The dormer would otherwise be of reasonably traditional form, clad in lead, and centralised.
8. The dormer would be only partially visible in steep upward views from within the back yard of No 32, and from within the back yard and garden spaces to either side. Though it would also be apparent within filtered winter views from Codrington Mews and Blenheim Crescent, from this vantage it would be perceived directly in relation to No 34. The extent of visibility would therefore be limited, and principally restricted to private rear yard/garden spaces. Insofar as the dormer would be publicly visible, it would find some direct reference to the dormers already installed at No 34.
9. The Conservation Area is ultimately a sum of both its public and private parts. In view of my findings above, within neither context would the addition of the proposed rear dormer be perceived as incongruous.
10. Though the Council places value on the intact nature of the roof form at No 32, the previous permission already allows for significant alterations. Aside from

infilling of the valley, and insertion of rooflights, approved alterations include the installation of a similar dormer within the roof slope of a side elevation. The character of the roof could thus be subject to change whether or not this appeal was allowed. I am otherwise satisfied that whether considered alone or in combination with other works subject of the previous permission, the proposed dormer would be acceptable.

11. My findings above indicate that overall effect of the scheme on the special interest, character, appearance and significance of the Conservation Area would be neutral.
12. I therefore conclude that the development would preserve the character and appearance of the Conservation Area. As such it would comply with Policies CL1, CL2, CL3 and CL8 of the Local Plan 2019 (LP) whose terms all either specifically or generally support the above objective; and Policy CL11 of the LP, given that no identified 'view' would be harmed.

Conditions

13. I have imposed standard conditions specifying the time period for commencement of the development and identifying the approved plans for sake of certainty.

Conclusion

14. For the reasons set out above I conclude that the appeal should be allowed.

Benjamin Webb

INSPECTOR