



Appeal Decision

Site visit made on 20 July 2022

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8TH August 2022

Appeal Ref: APP/K5600/D/22/3296203

17 Lansdowne Crescent, London W11 2NJ

- 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 Ms Nyree Tanielian against the decision of the Royal Borough of Kensington and Chelsea.
 - The application Ref: PP/21/05828, dated 6 September 2021, was refused by notice dated 18 January 2022.
 - The development proposed is a single storey basement excavation below lower ground floor level and part of front forecourt and rear garden; alterations to fenestration and front and rear elevations; construction of side extension; construction of single storey rear extension; formation of roof dormer; installation of two roof lights to rear roofslope and internal refurbishment works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Ladbroke Conservation Area.

Reasons

Background

3. Planning permission has recently been granted for extensions and alterations very similar to that proposed (Council reference PP/21/05852 approved December 2021). The only difference is the height of the side extension which under this appeal proposal would be a 1.5 storey structure, compared to single storey in the extant consent.

Character and Appearance

4. The appeal property is located within the Ladbroke Conservation Area (LCA) and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be had to the desirability of preserving or enhancing the character and appearance of a conservation area.
5. The LCA is characterised by grand residences which date from the mid nineteenth century and which are generally half or fully stuccoed with elaborate detailing. In addition to the formal buildings the space between them and the communal gardens are an important part of the setting. Together these factors create an attractive and well-preserved urban townscape.

6. No.17 is a large three storey property located on the inner side of the crescent towards the northern end. It was originally part of a pair, but No.18 was redeveloped as a contemporary block of flats and as a result the appeal property is visually distinct from its adjoining neighbour, effectively appearing as a detached villa. To the other side and emphasized by the curve of the road is a substantial distance to the flank elevation of No.16. The gap permits views through to the communal garden and together with the vegetation provides relief to the buildings and a sense of spaciousness. This gap, and those between the other semi-detached properties along Lansdowne Crescent, are identified as important townscape gaps in the Ladbroke Conservation Area Appraisal (LCAA) and indicates that the infilling of the gaps is a negative feature affecting the LCA.
7. The proposed side extension would extend across the majority of the gap and project some distance above the height of the existing side extension to No.16. The Council advise that a taller side extension to No.16 was dismissed on appeal¹ and that decision expressed concerns that a similar extension to No.17 would exacerbate the harm. The full details of that scheme are not before me, nonetheless the existing low level flat roofed structure to No.16 has minimal impact on the wider street scene. The extant proposal would be of a similar height, whereas the proposed extension would be an irregular height with the roof sitting just above halfway up the ground floor window. Design elements such as the green wall, and the existing front boundary treatment and vegetation would to some extent act to conceal the structure. Nevertheless, it would have a physical and visual presence, particularly in the winter months, and whilst views at an upper level would be retained, it would, in my opinion, be harmful to the planned pattern of development and the character of the area.
8. As I saw on my site visit most of the semi-detached properties further along Lansdowne Crescent have been linked through development to the side, including some quite prominent ground floor extensions. However, No.17 is detached from this group and aligns with the buildings in Ladbroke Grove. As such, and like many of the other gaps exhibited in the area, it marks a change in the orientation/angle of the buildings. In views along the street, almost the full flank elevations of both Nos. 17 and 16 are visible and this separation is further pronounced by the substantial planting to the front garden of the appeal site. Additionally, I agree with the Council, and the earlier appeal decision, that the historic loss of other gaps does not justify the infilling of this gap.
9. The LCAA places an emphasis on retaining these features and explains that *the few completely undeveloped gaps are of great conservation value*². Contrary to this guidance, the proposal would diminish the value of one of the remaining undeveloped gaps, which contributes to the significance of the LCA.
10. Having regard to the National Planning Policy Framework (the Framework), the harm to the LCA would be less than substantial and accordingly that harm should be weighed against the public benefits of the proposal. The proposed side extension would provide additional living space, but a scheme has already been permitted for the same footprint and an increased ceiling height would be a private benefit. As required by the Framework, paragraph 199, great weight

¹ APP/K5600/A/03/1124838 – 16 Lansdowne Crescent.

² Paragraph 2.14

should be given to an asset's conservation, irrespective of the level of harm. In the absence of any public benefits to outweigh the harm identified above, I conclude that the extension would fail to preserve or enhance the character or appearance of the Ladbroke CA.

11. The development would thereby conflict with Policy CL3 of the Royal Borough of Kensington and Chelsea Local Plan 2019, which aims to preserve or enhance heritage assets. There would be further conflict with Policies CL1 and CL2 of the same plan, which require new development to be of the highest architectural quality, contribute positively to townscape and respond to local context. The proposal also fails to comply with the requirements in Policies CL9 and CL11 which resists proposals for extensions where a historic gap would be blocked or diminished and to protect views.

Other Matters

12. I acknowledge that at the time of the earlier appeal decision in relation to No.16 a different development plan was in place. Additionally, the extension would accord with other policy criteria such as the building line and subservience, and that some of the other alterations would provide visual enhancements to the frontage of the property. Nonetheless these are mainly neutral factors and do not outweigh the harm I have identified.

Conclusion

13. For the reasons set out and having regard to all other matters raised I dismiss the appeal.

G Ellis

INSPECTOR