
Appeal Decision

Site visit made on 5 July 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2022

Appeal Ref: APP/K5600/W/22/3297508

6A Cresswell Place, London SW10 9RD

- 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 Jael International Ltd against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref PP/21/03621, dated 10 June 2021, was refused by notice dated 26 October 2021.
 - The development proposed is described as 'demolition of the existing four storey mews and its replacement with a contemporary two storey dwelling with accommodation in the roof level and the excavation of a single storey basement'.
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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 Boltons Conservation Area.

Reasons

3. The appeal site relates to a single dwelling situated within The Boltons Conservation Area (CA) and backs on to No 6 The Boltons, a grade II listed building. The significance of the CA mainly derives from the high quality of its predominantly residential built environment and the layout and relationships between its buildings, streets and spaces. The street layout includes principal streets characterised by more opulent housing such as those on The Boltons which back on to what were once service streets. The service streets are often lined by mews developments such as Cresswell Place.
4. Cresswell Place is predominantly characterised by terraced mews housing in a variety of styles and facing materials. Buildings more often abut the boundary with the street with no front yards or gardens and with windows and front doors addressing the street. These buildings are generally up to two-storeys in height, some with second floor accommodation within the roofspace served by dormers. Some of the more modestly scaled traditional mews in the street have fewer window openings to their upper floor. The road is mainly surfaced in granite setts.
5. However, there are also buildings of three-storey height with a fourth storey in the roof. I also note that Cresswell Place has evolved over time and there is a clear cohesion and flow to the existing built form as one moves along the

- street. While there are a variety of roof forms in the street only some of the properties towards the southern end of the street incorporate gables.
6. The evidence before me is that the current building on the appeal site was built in the early 1960s. It sits within a terraced row of buildings which are three-storeys in height with a fourth storey accommodated in the roof space. These buildings display a townhouse appearance and are set back from the boundary with the highway. Their design, increased height and number of storeys, and set back position differs from the typical mews typology of the remainder of the street. However, the front elevation of No 6A mirrors 6B. Its form, roof line, scale and materials forms part of a cohesive and not unattractive group. Consequently, the terraced row has an overriding balance which blends into the townscape on Cresswell Place. For these reasons, I agree with The Boltons Conservation Area Appraisal (2015) that No 6A and the wider terrace it aligns with makes a neutral contribution to the CA.
 7. I have considered the evolution of the design and have seen that it seeks to draw influence from an atypical massing on the site in the 19th Century when the site was occupied by a stable, hay barn and sleeping quarters for visiting coachmen. These historic buildings are stated to have formed two parallel wings and, as a result of their massing and heights, they would have had an understated presence in the streetscene which reflected their immediate surroundings at that time including a more visible subservience to No 6 The Boltons.
 8. During my site visit, the main parties and I viewed computer generated images (CGI) of the proposal both in video 'flythrough' and virtual reality format. Neither party raised objections to viewing the CGIs. The CGI content confirmed my understanding of the information and detailed plans before me. I am satisfied that the height of the proposal would be comparable to the immediate neighbouring buildings and the building's width would retain a continuous built frontage.
 9. However, the gables to the southern end of Cresswell Place are not comparable to the greater scale and mass of the proposed gable in the appeal scheme. In the context of the existing buildings to this part of Cresswell Place, the gable fronted roof form would appear discordant between the horizontal roof line of adjoining buildings. This scaled-up interpretation of the historic gables would have undue dominance in the street. Furthermore, the expanse of brickwork to the first-floor gable, the isolated single first-floor window within this, the uncharacteristic enclosed front yard, and the lack of visibility of a front door in views from the street mean that this contemporary interpretation of the historic buildings would present an incongruous and uninviting elevation to the street.
 10. The front elevation is proposed to be set forward of No 6B and the wider aligned terrace and a high wall serving the front yard is also proposed forward of this. These features would combine to form an abrupt and incongruous feature in the street scene, particularly when viewed from the direction of Priory Walk. In addition, the brickwork to the upper floor front elevation, while part of the wider local vernacular, would contrast with the white finish to neighbouring buildings. Together with the issues already identified this would make the building even more strident and out of keeping with its immediate surroundings.

11. I concur with the appellant that the role of planning is not to prevent all buildings of individual design. However, any proposal should respond positively to its immediate context and the CA as a whole. For the reasons set out, the proposal would disrupt the existing rhythm of the street. It would neither positively respond to the mews forms which are a predominant feature of Creswell Place nor blend into the townscape alongside the adjacent townhouses. It would be a dominant and jarring addition which would detract from the visual appeal of the street and the character and appearance of the CA as a whole.
12. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
13. Taking all the above factors into account, I find that the development would result in less than substantial harm to the character and appearance of the CA. Paragraph 202 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
14. The proposal would replace one dwelling with another. No public benefits have been put forward by the appellant. I also find that there are no public benefits in this instance sufficient to outweigh the less than substantial harm identified.
15. I conclude, the development would not preserve or enhance the character or appearance of the CA. In that regard, it would conflict with the context, character and appearance, and conservation requirements of Policies CL1 (Context and Character) and CL3 (Heritage Assets – Conservation Areas and Historic Spaces) of The Royal Borough of Kensington and Chelsea Local Plan (2019). The proposal would also conflict with the Framework which advises that great weight should be given to the conservation of heritage assets.

Other matter

16. The Council's decision does not identify any harm to the setting of the Grade II Listed building at No 6 The Boltons. To my mind, the distinctive architecture of this building and symmetry with the other villas on The Boltons is most readily experienced from The Boltons street scene and not Creswell Place. Given that the development would sit behind and would be set away from the rear elevation of No 6, it would not detract from, nor reduce the ability to appreciate the architectural splendour of this building. On this basis, I see no reason to demur from the Council's position on this matter and the setting of the listed building would be preserved. However, this does not overcome my concerns in respect of the relationship of the proposal with Creswell Place or the identified harm to the CA.

Conclusion

17. The proposal would be harmful to the character and appearance of the CA. The proposal therefore conflicts with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

M Russell

INSPECTOR