



Appeal Decision

Site visit made on 15 November 2022

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 December 2022

Appeal Ref: APP/K5600/W/22/3298754

16 McGregor Road, London W11 1DE

- 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 Frederic Pelard against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application Ref PP/21/07591, dated 23 November 2021, was refused by notice dated 11 February 2022.
 - The development proposed is new mansard roof extension to match neighbouring examples.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and area, including the Colville Conservation Area.

Reasons

3. The appeal property is part of a mid-terraced row of dwellings within the Colville Conservation Area (the Conservation Area). The Conservation Area comprises a mainly residential area containing a number of Victorian terraced properties generally constructed of stock brick and either partially or completely clad in stucco, with many retaining much of their original architectural details. From the evidence before me and my site visit observations, the significance of the Conservation Area is derived, in part, from the architectural and historic interest associated with the development of the area, including the spatial arrangement of the buildings with each other and the surrounding spaces, and the evidence it provides of the architectural style and building techniques of the time.
4. There are some variations in design between the properties in the terrace in which the property sits. However, the retention of stock brick and stucco, regular fenestration and a consistent roofscape with a traditional V shaped or butterfly roof with raised parapet walls to the front gives the street scene a relatively homogeneous appearance and a discernible rhythm to the built form. The property shares many of these characteristics, and along with the terrace in which it sits, makes a positive contribution to the street scene and the significance of the Conservation Area.

5. The proposed development would comprise the replacement of the existing butterfly roof with a mansard roof set back from the front parapet wall to provide additional living space in the roof. The mansard roof would have two wooden sliding sash dormer windows to the front and rear.
6. The proposed development would not be readily visible from McGregor Road due to the height of the property and because the mansard roof would be set back from the parapet wall. Views from public areas to the rear would be screened by the existing built form. Nevertheless, the proposed development would be visible in views from the upper floors of neighbouring properties opposite and to the rear.
7. I acknowledge that the proposed development would not be readily apparent from public vantage points. Nevertheless, the character of the Conservation Area derives from the buildings, layout, and surrounding spaces as a whole, regardless of whether particular elements are open to public view. Its significance does not therefore rely only on the elements that can be readily seen. This is noted in the supporting text to Policy CL1 of the Royal Borough of Kensington and Chelsea Local Plan adopted 2019 (the Local Plan), which states that residents' appreciation and enjoyment of the borough as a whole and the special character and appearance of conservation areas in particular derives from both public viewpoints and views from within their dwellings.
8. The addition of the mansard roof would substantially change the roof shape of the property. It would remove the butterfly roof, which the Conservation Area Appraisal¹ identifies as an architecturally and historically valuable feature where it remains. It would increase the height of the host property and the bulk of its roof structure. The addition would be out of character with the original form of the property and would disrupt the relatively consistent roofscape along the terrace.
9. The appellant has highlighted that the properties at nos. 18 and 20 have mansard roof additions and that the roofscape of the Conservation Area is varied. However, mansard roofs are not the prevalent roof form within the terraces on McGregor Road, which have generally retained the traditional butterfly roof for most of their length. In this regard, I note that the supporting text to Policy CL8 of the Local Plan states that roof extensions on one are not regarded as precedents for the other terraces within the street. The policy itself seeks to resist additional storeys and roof level alterations in certain circumstances such as complete terraces or groups of buildings where the existing roof line is unimpaired by extension, or terraces that are already broken only by isolated roof additions, which is the case here.
10. Consequently, the proposed development would represent an incongruous addition that would significantly harm the character and appearance of the host property and the area. In doing so it would fail to preserve the character or appearance of the Conservation Area and would cause harm to its significance.
11. The harm that would arise would be localised and therefore the impact on the Conservation Area as a whole would be less than substantial. Even so, paragraph 199 of the National Planning Policy Framework (the Framework) directs me to give 'great weight' to the conservation of such assets; less than substantial harm does not equate to a less than substantial planning

¹ Colville Conservation Area Appraisal, 2015

consideration. Accordingly, paragraph 200 of the Framework sets out how any harm should require 'clear and convincing justification'.

12. In such circumstances the Framework states that harm should be weighed against the public benefits of the proposal. Benefits in this case, such as creating a larger living space, would appear to be largely private, and as such would not outweigh the harm that I have identified.
13. I therefore conclude that the proposed development would unacceptably harm the host property and the area, including the Conservation Area. Accordingly, it would conflict with Policies CL1, CL2, CL3, CL6, CL8 and CL11 of the Local Plan. These policies seek to ensure that development is sympathetic to the host building, preserves or enhances the character or appearance of Conservation Areas and respects the character of the area, amongst other matters. There would also be conflict with the Framework, the most relevant requirements of which are summarised above.

Other Matters

14. The appellant highlights the 2021 London Plan which encourages incremental intensification of established residential neighbourhoods to make the most efficient use of land and the permitted development rights to build up on top of existing properties to create additional residential floorspace, as lending positive weight to the proposal. While this may be the case, it would not outweigh the harm that I have identified.

Conclusion

15. The proposed development would conflict with the development plan taken as a whole as well as the Framework. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. Therefore, for the reasons given, the appeal should not succeed.

F Wilkinson

INSPECTOR