
Appeal Decision

Site visit made on 31 January 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2023

Appeal Ref: APP/K5600/D/22/3308259

6 St Mark's Place, London W11 1NS

- 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 Dillon Bacon against the decision of the Council of The Royal Borough of Kensington and Chelsea.
 - The application Ref PP/22/03429, dated 27 May 2022, was refused by notice dated 2 August 2022.
 - The development proposed is the erection of a single storey infill extension at lower ground floor with a roof terrace and garden access from upper ground floor, roof extension and associated internal & external alterations.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The appellant has referred to modified plans in the grounds of appeal that, in his opinion, overcome the Council's objection to the proposed mansard style roof extension. However, no such drawings are before me. For the avoidance of doubt, I have assessed the proposed development as it is shown on the plans that accompanied the original application because it was on that basis that the Council decided to withhold planning permission.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a 4-storey mid-terrace building that lies within a mainly residential area. Although No 6 is not a listed building, the site does fall within the Ladbroke Conservation Area (CA). To my mind, the significance of the CA as a designated heritage asset partly derives from the large Victorian and Edwardian buildings within it, many of which retain their original features and roof forms and in most cases positively contribute to fine streetscapes.
5. Like the properties on either side of No 6, the appeal building has a balustrade to the parapet at the front, which largely conceals the 'butterfly' roof behind when seen from the road. Similarly, other properties in the same terrace have front parapets. In views from St Mark's Place, the existing roof form gives a strong horizontal emphasis to the top of the appeal building and completes its

composition. With one exception, there is an unbroken run of butterfly roofs with the front parapet that establishes a long and largely continuous linear feature that unifies this part of the terrace. As such, the existing roof of No 6 makes a significant contribution to the architectural quality of the host building and the wider terrace. It is a notable feature of the local street scene to which No 6 belongs even among the varied built form within it.

6. In the same terrace as No 6, there is a single isolated mansard style roof that is visible from the road. The appellant considers this existing mansard to be harmful due to its unsympathetic design. As the only example of such a feature within the terrace, it is an incongruous and obtrusive structure.
7. The addition of the mansard style roof extension, as proposed, would substantially change the roof shape of the property. It would result in the loss of the butterfly roof, which the CA Appraisal generally identifies as an architecturally and historically valuable feature within the area. By projecting noticeably above the balustrade and parapet, the proposal would also breach a key aspect of the host building and disrupt the relatively consistent roofscape along the terrace. Furthermore, the dormer windows at the front would neither line up with nor satisfactorily relate to the pattern of openings below.
8. For all these reasons, the proposal would be an unwelcome addition to the host building and the wider terrace even with external materials to match those of the existing building. The disharmony caused would be most evident in views from the road just in front of the site and from the upper floors of some properties on the opposite side of St Mark's Place.
9. I acknowledge that the roofscape within the CA is varied. However, mansard roofs are not the prevalent roof form in the same terrace as No 6 and it is in that context that the proposal would be mainly seen. There is another mansard roof in the same terrace as No 6. However, Policy CL8 of the Council's Local Plan (LP) specifically 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. Against that background, the proposed mansard style roof extension would fail to preserve the character and appearance of the CA. The harm caused would be localised and so the effect on the CA would be less than substantial. Even so, the National Planning Policy Framework (the Framework) states that great weight should be given to the conservation of such assets, which I have done.
11. In those circumstances, the Framework states that harm should be weighed against the public benefits of the proposal. While the appellant states that the front cornice would be repaired, I am not convinced that the only way to achieve this outcome would be by introducing a roof level extension, as proposed. Other benefits in this case, such as creating additional living space, would appear to be largely private. No other public benefits are identified, and none would outweigh the harm that I have identified.
12. On the main issue, I conclude that the proposed mansard style roof extension would cause significant harm to the character and appearance of the host building and the local area. As such, it is contrary to LP Policies CL1, CL2, CL3, CL6, CL8, and CL11. 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.

13. There would also be a conflict with the Framework regarding the protection of heritage assets, and with the statutory duty. This duty requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas, which I have done.
14. The Council appears to raise no objection to the rest of the appeal scheme, which includes the construction of a single storey infill extension at lower ground floor level together with a new terrace with metal railings and access from upper ground floor and the replacement windows and doors in the rear elevation. I, too, find these elements of the development acceptable in their design and general appearance with no harm to the character and appearance of the CA. However, from my inspection of the plans, it is unclear whether these parts of the proposal are clearly severable from the new mansard style extension, which is objectionable. Consequently, I have not issued a split decision that grants planning permission solely for them.
15. The appellant states that the Case Officer had indicated that the application would be recommended for approval. An interested party also raises additional concern that the proposal would lead to unacceptable noise pollution. I have had regard to these matters and taken into account all the submitted evidence. However, given my findings on the main issue, these are not considerations upon which my decision has turned.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR