



Appeal Decision

Site visit made on 18 October 2023

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd November 2023

Appeal Ref: APP/K5600/D/23/3326438

10 Essex Villas, Kensington and Chelsea, London W8 7BN

- 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 A Tabari against the decision of The Royal Borough of Kensington and Chelsea Council.
 - The application Ref PP/23/02421, dated 7 April 2023, was refused by notice dated 2 June 2023.
 - The development proposed is the erection of a new dormer to the rear of the main roof.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a new dormer to the rear of the main roof at 10 Essex Villas, Kensington and Chelsea, London W8 7BN, in accordance with the terms of the application PP/23/02421, dated 7 April 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: AL(20)003, AL(20)002, AL(10)003, AL(10)002, AL(10)001, AL(00)007, AL(00)006 and AL(00)005.
 - 3) The dormer window hereby permitted shall be timber framed, white painted, double hung, sliding sashes, and be so maintained.
 - 4) The cheeks of the dormer hereby permitted shall be clad in lead and be so maintained.

Main Issue

2. The main issues are the effect of the proposal the character and appearance of the appeal dwelling, the group of buildings of which it forms part and that of the Kensington Conservation Area (the CA).

Reasons

3. The appeal dwelling is a large end of terrace three storey Victorian house with a hipped roof. Originally part of a semi-detached pair, it is now attached to a short run of two storey terraced houses, following the loss of its pair through war damage and post-war reconstruction. The remainder of the street still retains its original semi-detached houses, which reflect the design of the appeal

- dwelling, although it is apparent that there have been significant extensions and alterations at roof level to houses in the street.
4. The Council has recognised the importance of this part of Kensington and Chelsea as a heritage asset through the designation of the CA. The Kensington Conservation Area Character Appraisal (2017) (the CA Appraisal) clarifies its significance as an area with a highly urban form, comprising solidly developed streets made up of largely Victorian buildings, many of architectural significance.
 5. In line with the duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
 6. The proposal is for a traditionally formed flat roofed lead clad rear dormer window extension that would sit within the rear roof slope. Its modest scale would result in it sitting well in from the ridge and margins of the roof and would align with the vertical run of larger windows in the rear elevation. The design and size of the proposed single rear facing window in the proposed dormer would reflect the design of existing windows and would reflect the fenestrative hierarchy of the appeal dwelling.
 7. The rear roof slope of the appeal dwelling does not appear to be readily visible in street views and appears to only be visible from the rear of surrounding houses and their gardens, particularly those of Stafford Terrace, which back onto the appeal property. Whilst the roof of the appeal dwelling appears to be in its original form, the proposal would be inset into the existing roof and would not result in a loss of the existing roof form or be an obtrusive or prominent addition to the roofscape or established streetscene of the local area.
 8. From my site visit, it is apparent that the scale and design the roof level extensions and alterations at 6 Essex Villas, which appear to be of some age and without a planning consent, do interrupt the original roofscape on this side of Essex Villas. However, given the design and scale of the proposal, and that the appeal dwelling no longer forms part of a semi-detached pair, I do not find that the proposal would further add to this effect and would not, therefore, detract from the character and appearance of this group of buildings.
 9. I note that an appeal¹ relating to a planning permission for a dormer extension to 4 Essex Gardens was dismissed. However, the property that was the subject of that appeal is part of a pair of semi-detached houses. The proposal in that instance was found to interrupt the visual symmetry of the pair within the context of the local roofscape. As the appeal dwelling no longer has a semi-detached pair, the proposal would not result in such a harmful effect on the significance of the CA. I have, therefore given this nearby appeal only moderate weight in my considerations.
 10. For these reasons I find that the proposal would not result in any significant harm to the character and appearance of the appeal dwelling, the group of buildings of which it forms part or to the significance of the CA. The proposal would, therefore, accord with Policies CL1, CL2, CL3, CL6, CL8 and CL11 of The Royal Borough Kensington and Chelsea Local Plan (2019) and guidance

¹ Appeal Ref: APP/K5600/D/17/3189336

contained within the CA Appraisal, which seek to ensure that roof level development is sympathetic to the age and character of the host building and groups of buildings and reinforces their original integrity, does not harm the character and appearance of the existing building, respects the existing context, is of high architectural and urban design quality and preserves or enhances the appearance or character of conservation areas. For these reasons, the proposal would also accord with Policies D3 and HC1 of the London Plan (2021) and Sections 12 and 16 of the National Planning Policy Framework (2023).

Conditions

11. I have had regard to the council's suggested conditions, should I be minded to allow this appeal. To ensure the design quality, and that the character and appearance of the CA is preserved or enhanced, I have, along with the standard conditions on implementation and adherence to approved plans, attached the suggested conditions requiring the cheeks of the dormer to be lead clad and that the window in the dormer is of an traditional design and finish.

Conclusion

12. The appeal is allowed.

Victor Callister

INSPECTOR