



Appeal Decision

Site visit made on 27 October 2023

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

an Inspector appointed by the Secretary of State

Decision date: 10th November 2023

Appeal Ref: APP/K5600/D/23/3326859

60 Blenheim Crescent, Kensington and Chelsea, London W11 1NY

- 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 Mrs Tracey Huggett against the decision of The Royal Borough of Kensington and Chelsea Council.
 - The application Ref PP/23/01968, dated 22 March 2023, was refused by notice dated 16 May 2023.
 - The development proposed is the demolition of the existing and the construction of an enlarged rooftop extension.
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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 appeal dwelling and that of the Ladbroke Conservation Area (the CA).

Reasons

3. The appeal dwelling is a three storey 19th Century house located at the junction of Blenheim Crescent with St Marys Road. The house appears to be substantially unaltered, with the exception of an existing glazed enclosure on the roof, which is set behind a balustraded roof parapet.
4. It is located in an area whose character is defined by similar properties, whose significance as a heritage asset has been recognised by the Council through the designation of the CA. The Ladbroke Conservation Area Appraisal (2015) (the CA Appraisal) clarifies its significance as an area that is predominantly made up of 19th Century terraces that form the Ladbroke Estate, many of which have roof parapets that remain continuous and unbroken. The CA notes that the appeal dwelling has an historic roof parapet form.
5. The proposal is to replace the existing roof of the appeal dwelling, dropping the roof level further below the existing parapet, and replacing the existing glazed enclosure that has a shallow mono-pitch roof. Although the terminal height of the proposed extension would be lower than the roof of the existing enclosure, it would have a bigger footprint and would be set further

forward towards the parapet on both the street frontages and sitting adjacent to the party walls with its neighbours.

6. The proposal would be shorter than the existing terminal height of the mono-pitch roof of the existing enclosure, which is visible above the parapet in street views of the appeal dwelling. However, due to the proximity of the proposed extension to the parapet and the extent, height and solidity of the proposed roof, it would be visible through the balustraded parapet in immediate and longer views of the appeal dwelling. From my site visit, it would appear that in the longest views of the appeal dwelling, particularly from along Blenheim Crescent, the edges of the roof of the proposed extension would be marginally visible above the parapet.
7. Although there are existing roof enclosures and mansard roof extensions to properties in the street and local area, these mostly appear to be of some age and the harmful effect that these have by interrupting the original roofscape of the area is apparent. From the upper levels of surrounding buildings, the scale and solidity of the proposal would be more readily visible and would have a significantly greater visual weight and presence than the existing glazed enclosure, thereby adding to the interruption of the roofscape.
8. I appreciate that the appellant has sought to overcome the reasons for refusal of a previous planning application¹ for a similar roof extension. However, in the views I have identified above, I find that the proposal would appear as an unduly prominent addition to the historic roof line of the appeal dwelling and would fail to reflect the contribution that the appeal dwelling makes to the roofline of this part of the CA and its significance as a heritage asset.
9. The appellant has set out that, although the existing glazed enclosure does not have the benefit of a planning permission, it has the benefit of being a lawful development due to its age. However, it does not appear that a Certificate of Lawful Development has been sought. Whether or not the retention of the existing glazed enclosure would be a fallback in terms of its planning status, I find that due to its extent, height and solidity, the proposal would result in a greater visual presence than the existing glazed enclosure.
10. For the reasons given above, I find that the proposed development would be harmful to the character and appearance of the host dwelling and would fail to preserve or enhance that of the CA. In the context of paragraph 199 of the National Planning Policy Framework (2023) (the Framework), the harm I have identified to the significance of the CA would be less than substantial. This would be contrary to policies CL1, CL2, CL3 CL8 and CL11 of The Royal Borough Kensington and Chelsea Local Plan (2019), Policies D3 and HC1 of the London Plan (2021) and sections 12 and 16 of the Framework. Collectively these seek to ensure that development is of high architectural and urban design quality, sympathetic to the age and character of the host building, respects existing views and preserves or enhances the appearance or character of conservation areas.

¹ Planning ref: PP/23/00959

Planning Balance and Conclusion

11. Whilst the proposed extension would provide additional living space, which would benefit existing and future occupiers, this is not a substantial public benefit. In general, planning decisions should be made in the wider public interest. In this context, the harm I have identified, including the less than substantial harm to the significant of the CA outweighs these benefits. Dismissing the appeal is a proportionate response in this instance.

Victor Callister

INSPECTOR