



Appeal Decision

Site visit made on 31 October 2023

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th December 2023

Appeal Ref: APP/K5600/W/23/3325117

84 Abingdon Villas, London W8 6XB

- 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 Zahra Fathi against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application Ref PP/23/00437, dated 18 January 2023, was refused by notice dated 6 April 2023.
 - The development proposed is roof extension with reconfiguration of front fenestration; introduction of pillar detail on the left-hand side; introduction of an additional glazed door for access from the street matching the existing style to an existing commercial premises.
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Decision

1. The appeal is allowed and planning permission is granted for roof extension with reconfiguration of front fenestration; introduction of pillar detail on the left-hand side; introduction of an additional glazed door for access from the street matching the existing style to an existing commercial premises, at 84 Abingdon Villas, London W8 6XB, in accordance with the terms of the application Ref PP/23/00437, dated 18 January 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: RE001; SU001; PL001; PL002; PL003 Rev B; PL004; PL005.
 - 3) All work and work of making good shall be finished to match the existing exterior of the buildings in respect of materials, colour, texture, profile and, in the case of brickwork, facebond and pointing.
 - 4) The windows in the development hereby permitted shall be framed in painted timber to match the existing, and retained as such.

Applications for costs

2. An application for costs was made by the appellant against the Council. This is the subject of a separate Decision.

Preliminary Matters

3. Local residents have raised various concerns in relation to a change of use of the appeal site. However, I am required to deal only with the appeal scheme before me, which in this case is solely for external alterations to the building.

4. The Council made its decision on the basis of amended plans which saw removal of an air conditioning unit from the scheme. My assessment is made on the same basis.

Main Issue

5. The main issue is whether the development would preserve or enhance the character or appearance of the Edwardes Square, Scarsdale and Abingdon Conservation Area (the CA).

Reasons

6. The appeal relates to a single-storey, flat roofed building that spans between the side wall of 82 Abingdon Villas and the rear wall of 47 Earls Court Road, and is situated within the CA. The building comprises two separate commercial units of very different size and appearance. The wider unit has a traditional timber shopfront and some architectural detailing on the front facade. The other unit is much narrower in width, steps down in height to No 82, and does not contain any features of architectural merit with only a modern door in its frontage.
7. The CA Appraisal identifies the site as being within Character Area 2: Scarsdale and Abingdon Villas. This part of the CA draws some of its special interest and significance from its historic grid layout and tight formation of terraced houses of up to three storeys in height over semi-basements, with some commercial premises found around the street corners. The end of the terraces that run north to south in the grid pattern typically step out from the front of the perpendicular terrace and have rear additions that step down by varying heights. Most buildings are constructed of stock brick with Italianate stucco details, but some are faced completely with stucco or have a painted frontage. Earls Court Road marks the western edge of the character area and has a more mixed character of buildings and uses.
8. I agree with the CA Appraisal that the larger unit is a positive feature in the CA. However, the smaller unit is conspicuous due to its low height, narrow width, inappropriate modern door, and general lack of architectural features and detailing, such that it does not add to the quality of the CA and street scene.
9. The proposal would raise the height of the smaller unit up to that of the wider unit and create a new combined shopfront in a matching traditional style and façade treatment. This would consolidate the height and form of the building and significantly improve its overall appearance, adding positively to the street scene in this regard.
10. The CA Appraisal notes that the gaps between buildings are important to the character of the CA, particularly where one terrace bisects another at a road junction. These gaps help to break up the built mass or provide visual relief in the street scene. However, the appeal buildings already fill the gap between the two terraces at ground floor level. The step down in height to No 82 comes from a single storey height, and so, the gap that it creates is proportionally small in both height and width. It also has limited visibility in the wider street scene. The small step down in the appeal building is therefore not of any particular importance in the context of the townscape.
11. The proposed height increase would not exceed the single-storey height of the adjoining unit. This would ensure that the transition in height between the

terraced buildings, and the resultant gap between them, would be suitably maintained. A very similar arrangement exists immediately opposite between 85 Abingdon Villas and 45 Earls Court Road, which the proposal would be seen immediately in context with. Furthermore, due to its scale and design, the development would remain as a visually distinct and subservient element in relation to the much taller terraced houses that sit between. Overall, the proposal would have no meaningful effect on the visual and spatial separation between the terraces and would not appear overdominant in the street.

12. In conclusion, I find that the development would result in an enhancement to the existing building and street scene, and would therefore enhance the character and appearance of the CA as a whole. The proposal therefore complies with statutory expectations¹ and the National Planning Policy Framework (the Framework) in these regards. It also complies with Policies CL1 and CL3 of the Royal Borough of Kensington and Chelsea Local Plan 2019. These Policies, amongst other things, require all development to respect the existing context, character and appearance, taking opportunities available to improve the quality and character of buildings and the area; and to preserve or enhance the character or appearance of the conservation area.

Other Matters

13. Notwithstanding the objections received, the Council did not identify any harm to the living conditions of neighbouring occupiers with particular regards to dominance, outlook, and light to their windows and gardens. From all that I have seen and read, including my site visit, I have no reason to disagree with the Council's assessment of these matters.

Conditions

14. As suggested by the Council, I have imposed a condition specifying the approved plans to provide certainty. I have also imposed conditions relating to the external building materials and shopfront in the interests of the preservation of the character and appearance of the area. However, it is not necessary to state that the permission only relates to external works so the suggested condition to that effect is not imposed.

Conclusion

15. The proposal complies with statutory requirements, the Framework, and the relevant policies of the development plan for the area. Therefore, the appeal should be allowed.

A Caines

INSPECTOR

¹ Section 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act)