



Appeal Decision

Site visit made on 28 May 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th June 2024

Appeal Ref: APP/K5600/D/24/3339611

1 Stanford Road, Kensington and Chelsea, London W8 5PP

- 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 Ms G Tong against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application Ref PP/23/07997 dated 4 December 2023, was refused by notice dated 20 February 2024.
 - The development proposed is the construction of side and rear dormer windows and insertion of a Velux window to the front roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of side and rear dormer windows and insertion of a Velux window to the front roof slope in accordance with the terms of the application Ref PP/23/07997 dated 4 December 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P1081-EX00-1A, P1081-EX00-2, P1081-PL201A, P1081-PL202B, P1081-PL204C, P1081-PL205C, P1081-PL206C and P1081-PL207.
 - 3) The dormer windows hereby permitted shall be clad in slates to match those used in the existing roofs with a lead roof and timber framed white painted double hung sliding sash windows. The rooflight hereby permitted shall be of a traditional conservation type fitting flush with the roof. These features shall thereafter be retained as approved.

Main issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the De Vere Conservation Area (DVCA) and the setting of the Kensington Court Conservation Area (KCCA).

Reasons

3. Stanford Road is a mainly residential street of terraces, semi-detached houses and larger buildings within the DVCA. The Council's De Vere Conservation Area Appraisal advises that the area encompasses a few late Georgian houses, a swathe of early Victorian villas and an enclave of late Victorian terraces and flats, with each group having its own special character. Stanford Road was built up in the early Victorian period as part of the Vallotton Estate that makes up most of the DVCA and is described by the Council's DVCA Appraisal as having a peaceful, suburban charm.
4. Like all the buildings on Stanford Road, the semi-detached houses at 1 and 3 Stanford Road are said to be positive contributors to local character in the DVCA Appraisal. They form an attractive, though not symmetrical pair. I note the Appraisal's statement that Stanford Road contains the best conserved houses in the area, but that reference appears to be to Nos 22-34, not to Nos 1 and 3.
5. The proposal is to add 2 dormer windows to the side and rear plus a rooflight to the front of the existing roof. The Council's concern is about the side facing dormer, which would be visible in particular from around the nearby junction of Stanford Road with St Albans Grove. The Council's Appraisal for the adjacent Kensington Court Conservation Area (KCCA) notes the importance of views south along Kensington Court Place, in the direction of Stanford Road, but 1 Stanford Road is set back from the street, largely out of these views.
6. The side dormer would be visible but would be small in scale, low in height and set well back from the eaves. It would sit take up only a minor percentage of the roof slope. Any effect on the skyline would be minimal. Side dormer windows like this are relatively common within the local area, including nearby on Stanford Road, St Albans Grove and Cottesmore Gardens. Where these are appropriately sized and cited, they do not appear to be intrusive or particularly noticeable features. The DVCA Appraisal notes that there are a number of different roof types in the conservation area. The proposed dormer windows would sit well within this context.
7. The appellant has drawn my attention 2 other appeal decisions for side dormers on Stanford Road and Cottesmore Gardens¹ plus other applications granted by the Council. Although those cases bear some similarity to this one, I have assessed the appeal on its own merits, in light of current circumstances.
8. I conclude that the proposal would preserve the character and appearance of the DVCA and the setting of the KCCA. It accords in this respect with policies CL1, CL3, CL8 and CL11 of the Local Plan 2019 and the Appraisals, which seek to ensure that developments including roof alterations contribute positively to the townscape and protect the special architectural or historic interest of conservation areas. In coming to this conclusion, I give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Council also refers to an emerging New Local Plan in the documentation, but accords that plan only limited weight and does not cite any of its policies in the refusal notice.

¹ APP/K5600/D/17/3168438 and APP/K/5600/A/07/2062107

9. I impose a condition listing the relevant plans to provide certainty. A condition specifying materials and certain design details is necessary to protect local character and appearance. The Council also asks for the rooflight to have 'slim' frames, but this is too vague to be imposed as a requirement.
10. I find that the proposal accords with the development plan for the area. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR