



Appeal Decision

Site visit made on 14 June 2024

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

an Inspector appointed by the Secretary of State

Decision date: 10th July 2024

Appeal Ref: APP/K5600/D/24/3344003

10 Old Manor Yard, Kensington and Chelsea, London SW5 9AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Buchanan against the decision of The Royal Borough of Kensington and Chelsea Council.
 - The application Ref is PP/23/08423.
 - The development proposed is a roof extension, fenestration alterations and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for a roof extension, fenestration alterations and associated works at 10 Old Manor Yard, Kensington and Chelsea, London SW5 9AB in accordance with the terms of the application, Ref PP/23/08423, 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: PL-001, PL-003, PL-005, PL-006 and PL-007
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the appeal dwelling and that of the local area; and
 - The living conditions of neighbouring residential occupiers.

Reasons

Character and Appearance

3. The appeal dwelling is a two storey terraced mews property. The Mews is a private road, with gated access from Earls Court Road. The mews properties, including the appeal dwelling appear to be plainly designed, of similar scale and

date from the mid-20th century, which provides the Mews with a cohesive street streetscape.

4. The proposed roof extension would take the form of a full width mansard, which would be set back slightly from the rear elevation and more substantially set back from the front elevation to provide a terrace. This would have a metal balustrade and planter towards the Mews elevation. The window/door openings in the front of the proposed roof extension would align with the existing first floor window openings.
5. I note that a more recent appeal was dismissed for a mansard roof extension to 11 Old Yard Mews¹, which the inspector found was set too far forward towards the Mews frontage and would not reflect existing mansard extensions in the Mews, which have minimal visibility at street level. However, the design and scale of the proposed extension, including the proposed set back from the mews frontage, would appear to closely reflect other permitted mansard extensions, including at 12 Old Manor Yard².
6. Due to the height, mansard form and set back of the proposed extension from the Mews frontage, it would only be slightly visible from street level when viewed at an acute angle and would appear as a subordinate addition to the appeal dwelling. The proposed set back of the proposed extension from the Mews frontage would also maintain the building line of the Mews.
7. The scale and position on the roof of the proposed extension would appear to reflect existing and approved mansard extensions in the mews. Consequently, I do not find that the proposal would appear as stand-alone addition that would detract from the roofscape or streetscape of the Mews or local area.

Living Conditions

8. Whilst the proposed roof extension would be more visible from the upper floors of properties on the opposite side of the Mews to the appeal dwelling, the proposed roof extension would be of a scale and set back from the Mews frontage, reflecting the narrow nature of the Mews and smaller scale of the Mews properties that front it. In doing so it would reflect the extent of setback of the existing permitted mansard extensions in the Mews.
9. As a result, I find that the proposed extension would not result in an undue sense of enclosure. Rather the extent of the proposal, whilst being more visible from the upper floors of neighbouring properties in the Mews, would reflect the degree of enclosure to be expected in a developed residential area of this type and would not result in a sense of enclosure that would be experienced by neighbouring occupiers as oppressive.
10. Similarly, I find that, given the scale of the proposal and the distances to the properties to the rear of the property it would not result in an additional degree of enclosure that would be experienced by their occupiers as oppressive.
11. For the reasons given above, I find that the proposal would not result in any significant harm to the living conditions of neighbouring occupiers or to the character and appearance of the appeal dwelling or that that of the local area.

¹ Appeal Ref: APP/K5600/D/23/3331305

² Planning Ref: PP/17/05074

12. Consequently, I find that the proposal accords with Policies CL1, CL2, CL5, CL6, CL9 and CL11 of The Royal Borough Kensington and Chelsea Local Plan (2019), Policy D3 of the London Plan (2021) and Section 12 Framework (2023). Collectively these seek to ensure that development, including extensions, is of high architectural and urban design quality, sympathetic to the age and character of the host building and local area, respects existing views and ensure good living conditions of occupants of neighbouring buildings.

Conditions

13. Along with the standard condition of the timing of the development, I have, in the interests of design quality included conditions requiring compliance with approved drawings and that materials match those used in the existing building.

Conclusion

14. The appeal is allowed.

Victor Callister

INSPECTOR