



Appeal Decision

Site visit made on 8 October 2024

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2024

Appeal Ref: APP/K5600/D/24/3346553

15 Farmer Street, LONDON, W8 7SN

- 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 Dr Victoria Owen against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref is PP/24/00730.
 - The development proposed is half length roof extension utilising existing staircase to roof level.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of the Council's Decision on the application which is the subject of this appeal, the adopted development plan was The Royal Borough of Kensington and Chelsea Local Plan, September 2019. However, the Royal Borough of Kensington and Chelsea New Local Plan Review (LP) was adopted in July 2024 and is the extant adopted development plan. In the interests of natural justice both main parties have had a chance to comment on the relevance of the new local plan to this appeal. I have had regard to these comments and have determined this appeal on the basis of the current adopted local plan.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area; including whether or not the proposed development would preserve or enhance the character or appearance of the Kensington Conservation Area.

Reasons

4. The appeal property, 15 Farmer Street, is a three-storey dwelling (two-storey plus basement). The dwelling forms part of a continuous terrace comprising Nos 1a to 25. Properties within the terrace of which No 15 is part generally have stepped access to their front doors and are set back behind low level walls and railings which address the street. Farmer Street is a fairly narrow road with terraces of a similar design on each side of the street. The appeal site is in the Kensington Conservation Area (CA).

5. The Council Officer's Report¹ indicates that the Kensington Conservation Area Appraisal (CAA) states "Farmer Street has terraced houses which have a less consistent appearance with different facade designs and range in height from two to three storeys. The street is terminated on the north side with a restaurant at no. 2 Farmer Street. The variation in design and architectural decorative finishes of the groups of houses add to the interest of the street and make a positive contribution to Hillgate Village's character."
6. Properties within the terrace are painted brick in a variety of complementary colours and, though not identical, the properties have similar designs which creates an attractive sense of uniformity. Whilst there is a change in height and design between the property at No 9 and that at No 7, the heights of the properties within the terraces are broadly similar. One notable exception is present at No 25 which has a roof alteration. However, this property is situated at the end of the terrace rather than in a more central position, as is the case with the appeal property. Moreover, the evidence before me indicates that this addition was approved some time ago in around 1999 and under a different planning and policy context.
7. From what I have read, the CAA identifies the site as contributing positively to the historic and architectural character and appearance of the conservation area. In my view, the host property and the terrace of which it is part make a positive contribution to the significance of the CA.
8. The proposal is for a roof addition which would contain an additional bedroom with an en-suite. The rear wall of the addition would sit flush with the existing rear elevation of the property but would be set back around 2m from the front elevation to form a roof terrace.
9. The proposed roof addition would increase the height of the property and interrupt the consistent rhythm of the roofline of the terrace of which it is part. Due to the location of the property in the middle of the terrace this departure from the prevailing design would be particularly jarring. Spanning the width of the host dwelling and with only a minimal setback, which would in fact also become domestic space, the proposed extension would appear as a prominent and visually disruptive addition which would fail to respect the scale and proportions of the host terrace.
10. At present the rendered parapet wall adds visual interest and serves as a device to unify the terrace despite the variety of colours and detailed designs. The proposed extension would be finished in render and would not be consistent with the overarching palette of materials. Furthermore, the rendered finish would diminish the visual relief provided by the change in materials of the existing parapet wall. The double glazed bi-fold doors would be an incongruous feature which would be at odds with the traditional fenestration which characterises the area.
11. I note that due to its set back the additional storey would be screened from some viewpoints and, indeed, as Farmer Street is relatively narrow it would not be immediately visible from the street below. However, Conservation Areas are to be experienced from both the public and the private realm and views would nevertheless be possible, including views from other nearby properties and those from slightly further afield.

¹ Paragraph 6.11

12. I also accept that the wider area has a more diverse character and appearance and the proposal would also be seen in the context of other roof additions, such as the one at No.25, and the taller buildings lining the nearby commercial streets. Whilst the wider context is a consideration, in this instance I have found that the proposal would cause harm at a more intimate level which would not be overcome by the presence of other examples.
13. Consequently, for the reasons set out above I consider that the proposal would create a visually unsympathetic building which would be at odds with the prevailing character of the area and would erode the modest, simple appearance and rhythm of buildings within the street. The proposal would, therefore, cause harm to the character and appearance of the area and would fail to preserve or enhance the character or appearance of the Conservation Area. Due to the small scale of the proposal the harm to the heritage asset would be less than substantial.
14. The approach in the National Planning Policy Framework (the Framework) is that where a proposal would lead to less than substantial harm to a heritage asset, as in this case, that harm should be balanced against the public benefits of the proposal.
15. I have identified that the proposal would fail to preserve or enhance the character or appearance of the area and would not meet the statutory requirements set out in s72 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas Act) 1990 and would cause harm to the significance of the heritage asset. The Framework indicates that great weight should be given to a heritage asset's conservation. I have not been provided with compelling evidence of any public benefits which would outweigh the harm identified.
16. For these reasons, I consider that the proposal would be an unsympathetic addition which would fail to preserve or enhance the character or appearance of the CA. As such, the proposal would be contrary to Policies CD1, CD2, CD10 and CD15 of the Royal Borough of Kensington and Chelsea New Local Plan Review, July 2024 (LP). Amongst other things these policies seek to ensure that development is of a high standard of design, beautiful and respects the existing context. The proposal would also conflict with LP Policy CD4 which states that development is required to preserve or enhance the character or appearance and significance of the conservation area.
17. Moreover, the proposal would fail to accord with LP Policy CD12 which requires roof alterations and additional storeys to be sympathetic to the form and character of the building or group of buildings of which it would be part. The Policy also specifically states that additional storeys will be resisted on complete terraces or groups of buildings where the existing roof line is unimpaired by extensions.

Conclusion

18. For the reasons set out above, the proposal is contrary to the development plan. There are no material considerations that indicate that permission should be granted. Therefore, taking all other matters raised into account, the appeal is dismissed.

L J O'Brien INSPECTOR