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## Appeal Decision

Site visit made on 12 November 2024

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 24 January 2025

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### Appeal A Reference: APP/K5600/D/24/3347089

74 Addison Road, London W14 8EB

- 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 Mr. Bodker against the decision of The Royal Borough of Kensington and Chelsea.
  - The application reference is PP/24/02043.
  - The development proposed is described in the application form as follows: *"Rear Extension to a detached dwelling on all floors; Single storey rear extension to the existing garage; Provision of a terrace at the rear raised ground floor level; Mansard roof extension with traditional dormers; Changes to the fenestration at the rear with new historically accurate fenestration; Addition of conservation type roof lights to the garage roof; Removal of non original conservatory at the rear, existing uPVC rainwater goods, non original railings at the front entrance; Reinstatement of period rainwater goods, garage doors, railings"*.
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### Appeal B Reference: APP/K5600/D/24/3351474

74 Addison Road, London W14 8EB

- 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 Mr. Bodker against the decision of The Royal Borough of Kensington and Chelsea.
  - The application reference is PP/24/03823.
  - The development proposed is described in the application form as follows: *"Staggered three storey rear extension to a detached non listed dwelling; Single storey rear extension to the existing garage; Provision of a terrace at the rear raised ground floor level; Mansard roof extension with traditional dormers; Changes to the fenestration at the rear with new historically accurate fenestration; Addition of conservation type roof lights to the garage roof; Removal of non original conservatory at the rear, existing uPVC rainwater goods, non original railings at the front entrance; Reinstatement of period rainwater goods, garage doors, railings"*.
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## Decision

1. Appeal A is allowed and planning permission is granted for alterations and extensions to the existing house, at 74 Addison Road, London W14 8EB, in accordance with the terms of the application (reference PP/24/02043), subject to the conditions set out in the attached Schedule of Conditions.
2. Appeal B is allowed and planning permission is granted for alterations and extensions to the existing house, at 74 Addison Road, London W14 8EB, in accordance with the terms of the application (reference PP/24/03823), subject to the conditions set out in the attached Schedule of Conditions.

### **Preliminary points**

3. In the case of both appeals, the description of the proposed development that is given in both the planning application form and the refusal notice is very extensive. The two appeal schemes are different from each other but, notwithstanding the descriptions given in the respective application forms, the nature of the proposals, in both cases, can more clearly and succinctly be expressed as alterations and extensions to the existing house.
4. The 'National Planning Policy Framework' was revised in December 2024 and the main Parties have had an opportunity to comment on the new version. In this appeal, I have had regard to the most recent version, of course.

### **Main issue**

5. The main issue to be determined in both appeals is the effect of the proposed development on the character and appearance of the host building and its surroundings in the Holland Park Conservation Area.

### **Reasons**

6. The appeal site is located in an area between Holland Park and the main A3220 in a part of London that is characterised by attractive properties in a mature townscape, including Victorian houses as well as more modern insertions. In the immediate vicinity of the appeal site, on the western frontage, this part of Addison Road is set with substantial Victorian villas on large plots, dating from the mid-nineteenth century, and the streetscene is enhanced by mature trees and shrubs planted in the front gardens of properties along the road. The whole area is designated as the Holland Park Conservation Area.
7. Number 74 Addison Road is a building of "local interest", one of a number of similar villas on this frontage, with classical stucco front elevations (painted white) and brickwork construction behind the frontage. Like its neighbours, the front elevation at number 74 is topped with a balustrade and parapet and embellished with classical features. Number 74 has two main floors, together with an attic floor (behind the parapet) and a lower ground floor, partially below ground level.
8. Although other buildings in the vicinity have undergone more substantial changes over the years, number 74 largely retains its original form on the rear elevation. At the rear, the construction is less formal, with plain brickwork, but the architecture is dignified and pleasing. The rear elevation does not have a material visual impact on views along Addison Road, but it is significant in views from surrounding properties, nonetheless.
9. At the time of my inspection, the building was undergoing an extensive refurbishment project and much of the interior was under construction, while the back garden was in use by the builders.
10. Two alternative schemes are now put forward in Appeal A and Appeal B, respectively. Both involve substantial extensions at the rear of the house, although the second (Appeal B) is less bold architecturally, being described more specifically as a "staggered three storey rear extension". Otherwise, the two schemes share many features, including a single-storey rear extension to the existing garage, the provision of a terrace at the rear, a "mansard" roof extension (incorporating dormers), changes to the fenestration at the rear, the addition of conservation type

roof lights to the garage roof, the removal of a conservatory at the rear and other alterations.

11. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant planning permission for development that would affect a conservation area. In such cases, decision makers are required to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas affected by development proposals.
12. Those formal requirements are reinforced by the 'National Planning Policy Framework', especially at Section 16, which emphasises the importance of conserving or enhancing the historic environment. More generally, the 'National Planning Policy Framework' also emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history.
13. Policies in the Development Plan reinforce these important principles. Bearing in mind that the previous Local Plan has been superseded, the most relevant Policies are to be found in the recently adopted 'New Local Plan Review' (dated July 2024), notably in the Chapter on "Conservation and Design". Policies CD3 and CD4 reflect the legislation and national planning policies that concern heritage assets generally and conservation areas specifically. Policies CD1 and CD2 deal with design issues more broadly, while other Policies particularly address potential alterations to existing buildings.
14. In both appeals the proposed development would include the construction of a large three-storey extension at the rear of the original house. In either case, the proposals would have a limited impact on the frontage of the site or the streetscene more generally, but the character and appearance of the rear of the property would still be significant in the Holland Park Conservation Area, as it would be apparent in views from surrounding properties.
15. The existing rear elevation has a "staggered" layout on plan that has been retained over the years and which is a relatively complete survival, unlike other buildings in the same group. This gives the building an added interest, but it is not a statutorily listed building (although it was listed prior to September 2017, at which time it was de-listed). Indeed, the interior is currently undergoing significant modification, and some other changes have also been permitted. The preservation of the rear elevation in its current form is not essential as an historical record and change cannot be ruled out in principle.
16. In both the appeal schemes, the scale of the proposed extension would obscure or replace the rear elevation and would alter the roof form, creating greater bulk at this upper level. The second scheme (Appeal B) would maintain a "staggered" elevation, however, with a reduced roof construction (also "staggered").
17. The new rear elevation in Appeal A would create a more formal and regular architectural composition, relieved by a central bay. The elevation would be constructed of brickwork, with a parapet in front of the "mansard" attic storey (which

- would have a flat main roof). The detailing would be in harmony with the original, respecting original window proportions and other architectural features.
18. The new rear elevation in Appeal B would take a different design approach, maintaining an irregular elevation with various different projecting elements, in some way echoing the “staggered” design of the original. Again, it would have a “mansard” roof, of similar construction. The overall effect would also be to substantially change the rear elevation and to alter the original design, nonetheless.
  19. The building at number 74 is to be considered as a non-designated heritage asset and it can be acknowledged that it had been largely preserved in its original form, unlike others. Nevertheless, it is no longer formally protected as a listed building, while, in any case, it is not of such merit that it ought to be preserved unchanged. In these appeals, it is necessary to have regard especially to the architectural qualities of the building and to the effect of the proposed development on the character and appearance of the Conservation Area.
  20. In both cases, the proposed new rear extension would be visible from nearby properties, although the effect on public views would be very limited. Even so, the new rear elevations would have only a limited visual impact. The two designs take different approaches but either would be valid, architecturally, and the finished schemes would be attractive in themselves and respectful of the original building. Neither extension would be overly dominating in relation to the original building, nor would either be out of keeping with the host building or the wider surroundings.
  21. In the light of the above, it must be acknowledged that either project would alter the existing building and diminish its role as an historical record. Even so, I am conscious that it is not a listed building, and I am not persuaded that the proposed changes to the rear elevation would cause actual harm to the host building itself or to its contribution to the character and appearance of the Conservation Area.
  22. Moreover, a suitable rear garden would be retained. The locality is characterised by detached buildings in large mature plots and that setting for the building would be preserved.
  23. The new “mansard” roof extension, in either case, would incorporate dormers in a “traditional” style and the “mansard” structure itself would not be visually intrusive, taking account of the parapet wall construction.
  24. Other, more minor changes would be introduced but these would be in keeping with the host building and, in some cases, would clearly enhance the property, by reinstating more appropriate materials.
  25. Of course, the changes would introduce a newness to the finished building and would erode its “patina of age”, but I am not convinced that this, or the changes taken as a whole in each case, would amount to harm to the host building itself (which is of local interest) or to the Conservation Area, where change ought not to be ruled out in principle.
  26. Evidently, the appeal site lies within an established urban area, which is “sustainable” in planning terms, and the proposed extension would be a useful addition to the accommodation at number 74 Addison Road (even though the house is already very large). The contribution that the appeal scheme would make

to the provision of residential accommodation in the locality, even though it would be limited, weighs in favour of the appeal.

27. I have concluded that neither of these projects would harm the character or appearance of the host building or its surroundings, in the Holland Park Conservation Area; nor would they be in conflict with the national legislation or the Development Plan, in principle. In short, I am persuaded that the schemes which are the subject of these appeals are both acceptable in planning terms and that they can properly be permitted, subject to conditions. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
28. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of those suggested for both appeals by the Council and the appellant (without prejudice to their main arguments in the appeals), subject to modifications necessary, in my opinion, in the interests of clarity and enforceability. In practice, similar conditions will apply to both appeal projects.
29. In particular, I have concluded that conditions are necessary, to define the planning permission, noting that the drawings submitted with each application share a common numbering system. Conditions are also needed to ensure that quality is maintained, although a broader condition than those suggested by the Council has been imposed to require the submission of details of the proposed construction materials. On the other hand, I am not persuaded that it is necessary for a formal condition to be imposed to require the preparation of a sample panel of brickwork for approval by the local planning authority.
30. Conditions are also necessary to ensure that trees on site are protected during the development, notwithstanding the protection that is generally afforded to trees in conservation areas. It is essential for this to be a pre-commencement condition (to prevent damage to significant trees). I note that the appellant has not objected to that principle. A landscaping scheme will also be required to incorporate retained features, but it is not necessary for this to be a pre-commencement condition.
31. I also accept that conditions are required, as suggested by the Council, in respect of construction management and to implement the submitted reports on Flood Risk Assessment and the Sustainable Urban Drainage System. It is essential for the construction management plan to have been prepared and approved before the work is carried out and, again, I note that no objection is raised by the appellant.

*Roger C. Shrimplin*

INSPECTOR

## **SCHEDULE OF CONDITIONS**

### **Appeal A (Reference: APP/K5600/D/24/3347089)**

- 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 approved drawings, identified as:  
Location Plan (No. LP(0)01); Site Plan as Proposed (No. GA(9)00);  
Lower Ground Floor as Existing and Demolition (No. EDM(0)01); Ground Floor Plan as Existing and Demolition (No. EDM(0)02); First Floor Plan as Existing and Demolition (No. EDM(0)03); Second Floor Plan as Existing and Demolition (No. EDM(0)04); Roof Plan as Existing and Demolition (No. EDM(0)05); Cross Section A-A as Existing and Demolition (No. EDM(0)10); Cross Section B-B as Existing and Demolition (No. EDM(0)11); Front Elevation as Existing and Demolition (No. EDM(0)20); Rear Elevation as Existing and Demolition (No. EDM(0)21); Side 1 Elevation as Existing and Demolition (No. EDM(0)22); Side 2 Elevation as Existing and Demolition (No. EDM(0)23);  
Lower Ground Floor Plan as Proposed (No. GA(0)01); Ground Floor Plan as Proposed (No. GA(0)02); First Floor Plan as Proposed (No. GA(0)03); Second Floor Plan as Proposed (No. GA(0)04); Roof Plan as Proposed (No. GA(0)05); Cross Section A-A as Proposed (No. GA(0)10); Cross Section B-B as Proposed (No. GA(0)11); Front Elevation as Proposed (No. GA(0)20); Rear Elevation as Proposed (No. GA(0)21); Side 1 Elevation as Proposed (No. GA(0)22); Side 2 Elevation as Proposed (No. GA(0)23).
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building, including work of making good.
- 4) Without prejudice to the generality of the preceding condition, no materials shall be incorporated into the external surfaces of the development hereby permitted until samples (or specifications) of those materials and drawings (at appropriate scales) of the construction details to be used have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, using the approved materials, and they shall not be changed subsequently.
- 5) No development shall commence until full particulars of the method or methods by which all existing trees on the site and adjacent land are to be protected during site preparation, demolition, construction, landscaping, and other operations on the site including erection of hoardings, site cabins, or other temporary structures, shall have been submitted to and approved in writing by the local planning authority and the development shall be carried out only in accordance with the details so approved. For the duration of works the all existing trees on the site at the date of this permission (unless they have been shown to be removed in a landscape plan previously approved by the local planning authority) shall be protected to prevent damage above and below ground, and no tree shall be lopped, topped, felled, or root pruned, without the prior written approval of the local planning authority.

6) Prior to first occupation of the extension hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme approved by the local planning authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives prior written consent to any variation.

7) No development shall commence until:

A) An Appendix A Checklist and Site Construction Management Plan (SCMP) for the development have both been submitted to, and approved in writing, by the Council's Construction Management Team, and then

B) Copies of the approved Checklist and Plan, and their written approval, have been submitted to the local planning authority to be placed on the property record. The development shall be carried out in accordance with the Appendix A Checklist and SCMP so approved, or in accordance with a subsequent Checklist or SCMP as may be approved under this condition.

8) During construction of the development hereby approved the submitted Flood Risk Assessment (FRA) and Sustainable Urban Drainage System (SuDS) shall be fully implemented and maintained thereafter.

**Appeal B (Reference: APP/K5600/D/24/3351474)**

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 approved drawings, identified as:

Location Plan (No. LP(0)01); Site Plan as Proposed (No. GA(9)00); Lower Ground Floor as Existing and Demolition (No. EDM(0)01); Ground Floor Plan as Existing and Demolition (No. EDM(0)02); First Floor Plan as Existing and Demolition (No. EDM(0)03); Second Floor Plan as Existing and Demolition (No. EDM(0)04); Roof Plan as Existing and Demolition (No. EDM(0)05); Cross Section A-A as Existing and Demolition (No. EDM(0)10); Cross Section B-B as Existing and Demolition (No. EDM(0)11); Front Elevation as Existing and Demolition (No. EDM(0)20); Rear Elevation as Existing and Demolition (No. EDM(0)21); Side 1 Elevation as Existing and Demolition (No. EDM(0)22); Side 2 Elevation as Existing and Demolition (No. EDM(0)23); Lower Ground Floor Plan as Proposed (No. GA(0)01); Ground Floor Plan as Proposed (No. GA(0)02); First Floor Plan as Proposed (No. GA(0)03); Second Floor Plan as Proposed (No. GA(0)04); Roof Plan as Proposed (No. GA(0)05); Cross Section A-A as Proposed (No. GA(0)10); Cross Section B-B as Proposed (No. GA(0)11); Front Elevation as Proposed (No. GA(0)20); Rear Elevation as Proposed (No. GA(0)21); Side 1 Elevation as Proposed (No. GA(0)22); Side 2 Elevation as Proposed (No. GA(0)23).

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building, including work of making good.

- 4) Without prejudice to the generality of the preceding condition, no materials shall be incorporated into the external surfaces of the development hereby permitted until samples (or specifications) of those materials and drawings (at appropriate scales) of the construction details to be used have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, using the approved materials, and they shall not be changed subsequently.
- 5) No development shall commence until full particulars of the method or methods by which all existing trees on the site and adjacent land are to be protected during site preparation, demolition, construction, landscaping, and other operations on the site including erection of hoardings, site cabins, or other temporary structures, shall have been submitted to and approved in writing by the local planning authority and the development shall be carried out only in accordance with the details so approved. For the duration of works the all existing trees on the site at the date of this permission (unless they have been shown to be removed in a landscape plan previously approved by the local planning authority) shall be protected to prevent damage above and below ground, and no tree shall be lopped, topped, felled, or root pruned, without the prior written approval of the local planning authority.
- 6) Prior to first occupation of the extension hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme approved by the local planning authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives prior written consent to any variation.
- 7) No development shall commence until:
  - A) An Appendix A Checklist and Site Construction Management Plan (SCMP) for the development have both been submitted to, and approved in writing, by the Council's Construction Management Team, and then
  - B) Copies of the approved Checklist and Plan, and their written approval, have been submitted to the local planning authority to be placed on the property record. The development shall be carried out in accordance with the Appendix A Checklist and SCMP so approved, or in accordance with a subsequent Checklist or SCMP as may be approved under this condition.
- 8) During construction of the development hereby approved the submitted Flood Risk Assessment (FRA) and Sustainable Urban Drainage System (SuDS) shall be fully implemented and maintained thereafter.