



---

## Appeal Decision

Site visit made on 1 April 2025

**by A Veevers BA(Hons) PGDip(BCon) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 08 May 2025.**

---

**Appeal Ref: APP/K5600/W/24/3354334**

**14B Tadema Road, Kensington and Chelsea, London SW10 0NX**

- 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 Ms Elisabeth Schonenberger against the decision of the Council of the Royal Borough of Kensington and Chelsea.
  - The application Ref is PP/24/00442.
  - The development proposed is additional storey at lower second floor level and flat roof terrace at upper second floor level to replace pitched roof of rear outrigger.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Following the refusal of the planning application, the Council adopted the Royal Borough of Kensington and Chelsea New Local Plan Review (the NLPR) in July 2024. The policies of the NLPR now carry full weight. Policies CL1, CL2, CL3 and CL11 of the Royal Borough of Kensington and Chelsea Local Plan (September 2019) cited in the Council's decision notice, are no longer part of the development plan. Accordingly, I have determined the appeal against the relevant policies of the NLPR. Both parties have had the opportunity to comment on the relevant policies through the appeal process.
3. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024 and updated in February 2025. Whilst this made certain revisions to aspects of national planning policy, the provisions in respect of the main issue in this case is largely unchanged, other than paragraph numbering. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework from the main parties, and that no party would be disadvantaged by determining the appeal accordingly.
4. The appeal site is located within Lots Village Conservation Area (LVCA). Therefore, I have had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the LVCA as set out in section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act.
5. At my site visit, as well as visiting the appeal site, I was able to see the appeal property from the rear garden of Flat 14A Tadema Road and surrounding streets.

## Main Issue

6. The main issue is whether or not the proposal would preserve or enhance the character or appearance of the LVCA.

## Reasons

7. The LVCA sits at the tip of Royal Borough of Kensington and Chelsea's southern boundary along Chelsea Creek. It encompasses a mix of industrial, commercial and residential uses, including the iconic Lots Road Power Station, which has recently been converted to commercial space and apartments. Away from the waterfront, the predominantly residential area consists of well-preserved Victorian terraced housing, corner shops and public houses which are interspersed with more modern development, such as Chelsea Academy educational institution. The public gardens of Westfield Park provide a modest area of green space within the LVCA. The character of the LVCA is therefore diverse and illustrative of the historic development of the area.
8. From the evidence before me, the special interest and significance of the LVCA is largely derived from its variety of architecture and characterful mix of land uses; the principal built structure of the power station and waterfront along Chelsea Creek; tree-lined routes; York stone paving and traditional lamp posts and painted black railings. Together, these create a high quality urban area of special architectural and historic interest.
9. The appeal site is a first and second floor flat of a three storey (including lower ground floor), late Victorian residential property with accommodation over four floors that is located towards one end of a terraced block on the west side of Tadema Road. The terrace is constructed of yellow stock brick with decorative stucco canted bay window and door surrounds and steps leading to the front doors. Part of the terrace within which the appeal site sits, includes mansard roofs with lead clad dormers at the front and rear. At the rear, the appeal property and its neighbours have more modest elevations, incorporating less architectural detailing of their front façades. While the rear elevations of properties on Uverdale Road include three storey flat roof outriggers, many with roof terraces, the rear elevation of the terrace within which the appeal site sits on Tadema Road still retains a well-preserved and consistent form of three storey outriggers with mono-pitch roof and few alterations.
10. Although more recent development on the opposite side of Tadema Road has somewhat diminished the historic context of the street, there is considerable uniformity to the height and appearance of the terrace within which the appeal site sits, both facing the street and at the rear. This provides a strong rhythm and aesthetic value to the row that contributes positively to the character of the street scene and the LVCA as a whole, and thereby to its special interest and significance as a designated heritage asset.
11. It is proposed to increase the height of the outrigger at the rear of the property and form a flat roof terrace. With the exception of the appeal property and the adjoining end terrace property, 13 Tadema Road (No 13), other properties in the row include outriggers with 'pairs' of pitch roofs and a shared ridge parapet. The appeal property differs in that the outrigger abuts a tall dividing parapet wall at roof level with No 13. Despite the screening that this parapet wall would provide from some views, and the larger scale of No 13, the proposed upward extension of the

outrigger would project awkwardly above the eaves height of the host property and the terraced row, including that at No 13.

12. The symmetrical composition of pitch roof rear outriggers evident in the rest of the row would not be compromised, appropriate external materials would be used, and the flat roof would not be higher than the adjoining parapet wall. However, the originally designed and proportionate outrigger at the appeal site would be harmfully modified. The height and form of the proposed extension would be bulky and would result in a conspicuous and disproportionate scale of outrigger that would be at odds with the rhythm and aesthetic value of the host building and the terrace.
13. The proposed roof terrace would be enclosed by painted metal railings which, although modestly designed, would exacerbate the scale of the extension. The proposed railings would sit significantly higher than the eaves of the properties within the row and would obscure the characteristic mansard roof design. In my view, the proposal would draw the eye and appear as a visually jarring interruption to the consistent rhythm of the roofline at the rear of the terrace. Overall, due to its height and design, the proposal would fail to respect the scale and proportions which characterise the host dwelling and the terrace of which it is part.
14. The rear facing elevations of terraced properties on Uverdale Road include tall, flat roof outriggers with roof terraces. However, these appear to have been originally designed that way to match the flat roof of the host building. The composition of this terrace differs considerably from that within which the appeal site sits.
15. I acknowledge the rear elevation of the appeal site would not be clearly visible from many public vantage points. However, conservation areas are to be experienced from both the public and the private realm. In any event, I saw that part of the rear outrigger can be viewed from Uverdale Road, at the end of the terraced block, and the proposal would be clearly noticeable from the rear facing windows of neighbouring properties on Tadema Road and Uverdale Road. Moreover, the lack of public visibility does not obviate the need to achieve good design.
16. Although the proposal has been reduced in scale from a previous application<sup>1</sup>, it would nonetheless still introduce a scale and design of roof form that would not be architecturally sympathetic to the character of the host building or terrace.
17. For the reasons given above, the proposal would harm the character and appearance of the host property. Whilst the appeal building is a small component of the LVCA, the effect of the development would be clearly apparent as a detracting feature that would diminish the significance of the LVCA and fail to either preserve or enhance its character or appearance. The harm would be localised to glimpsed public views and from the rear windows and gardens of surrounding properties. As such, the effects would be less than substantial in the context of paragraph 212 of the Framework. In accordance with paragraph 215, I must balance that less than substantial harm against any public benefits.
18. In this case, the appellant is seeking to improve the property, which is situated in a highly sustainable location. The proposed extension would provide additional space for occupants, including private outdoor amenity space, which I note the

---

<sup>1</sup> LPA Ref PP/23/06269

occupants do not currently have access to. However, these matters would be private benefits and I note, albeit not private, there is a public park in proximity, at the end of Uverdale Road. Therefore, on the evidence before me, there would be no discernible public benefit from the proposal that would outweigh the harm to the LVCA.

19. Consequently, the proposal would conflict with Policies CD1, CD2, CD4, CD10, CD12, CD13 and CD15 of the NLPR. Collectively, these policies, amongst other things, require development to be of high-quality design that respects existing context, character and appearance, is architecturally sympathetic to the host building and preserves or enhances the character or appearance of the conservation area and views within it. The proposal would also conflict with the requirements of the Act and heritage protection guidance within the Framework.

### **Other Matters**

20. My attention has been drawn by the appellant to a seemingly similar extension and roof terrace that was approved by the Council at 32 Tadema Road<sup>2</sup>. Whilst I am unaware of the specific circumstances in this case, that property is located in a different terrace block to the appeal terrace and has a different character. I also note the planning permission was granted a considerable time ago, prior to the Framework and the adoption of the NLPR. As such the considerations in relation to that permission are not sufficiently similar to the appeal before me to weigh in its favour.
21. Even if there were no third party objections to the proposal, my assessment of the effect of the development would be unchanged and a lack of objections is not a reason in itself to allow development that is unacceptable.

### **Conclusion**

22. The proposal conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
23. I therefore conclude that the appeal is dismissed.

*A Veervers*

INSPECTOR

---

<sup>2</sup> LPA Ref PP/06/00995