
Appeal Decision

Site visit made on 27 May 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 June 2025

Appeal Ref: APP/K5600/D/25/3364280
7 Tetcott Road, London SW10 0SA

- 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 Mr Faris Kapenanovic against the Council of the Royal Borough of Kensington and Chelsea.
 - The application ref. is PP/24/08258.
 - The development proposed is for the replacement of the existing structure at second floor level with a conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of the existing structure at second floor level with a conservatory at 7 Tetcott Road, London SW10 0SA in accordance with the terms of the application ref. PP/24/08258 and the plans submitted with it (157 001 RPA Rev 1, 157 002 RPA Rev 1, 157 010 RPA Rev 1, 157 020 RPA Rev 1, 157 021 RPA Rev 1, 157 030 RPA Rev 1), subject to the following condition:

1) The conservatory-style extension hereby approved shall be timber framed, white painted, and so maintained thereafter.

Preliminary Matter

2. At my site visit, I saw that the development has been completed and I note that the application has been submitted retrospectively.

Main Issues

3. The main issues are the the effect of the proposal on:
 - the character and appearance of the existing dwelling and surrounds, including the Lots Village Conservation Area (CA); and b)
 - the living conditions of the occupiers of neighbouring properties with regard to artificial light pollution.

Reasons

Character and appearance

4. The appeal site consists of a mid-terrace dwelling with rear outrigger in high-density, urban surrounds. The surrounding area comprises a mixture of uses, with commercial outlets and a medical centre in close proximity. Tetcott Road leads onto Westfield Park a short distance to the south.

5. The special architectural and historic interest of the CA derives from the working area of industry, commercial riverside uses, small factories, breweries and workshops within a working class community housed in artisan terraced housing. Being situated in the CA, I have applied the statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paid special attention to the desirability of preserving or enhancing the character or appearance of the CA by attaching considerable importance and weight to that desirability.
6. Although the front elevations of the short terrace of which the appeal dwelling is a part display uniformity, the rear of the row exhibits greater variation between the properties. Within this setting, I consider that the conservatory does not appear out of keeping; it is of small scale and visually connects with the overall appearance of the building, without being imposing or dominant. Moreover, I have had regard to the pre-existing plans and historic photographs provided by the appellant in my considerations, which demonstrate that the scheme replaces a covered area serving a store room. I am satisfied that the impact above and beyond the previous structure would be neutral, having also borne in mind that the Council would require this feature to be reinstated were the appeal to be unsuccessful.
7. I appreciate that the conservatory results in an increased extent of glazing, however there are myriad windows looking out over Thorndike Close, serving both residential units and the adjacent medical centre. I do not consider that the development has an adverse effect given this context.
8. I acknowledge the party wall that has been created on the common boundary with 5 Tetcott Road, which from the photos is larger than before. Whilst this is a more balanced issue, I am mindful that the parapet wall at roof level between 3 Tetcott Road and the medical centre is of broadly similar scale and appearance, and to my mind has an analogous impact upon the character of the terrace. As such, I find that the party wall element is not so detrimental as to warrant a refusal of permission on this ground.
9. I conclude that the proposal would not have an adverse impact upon the character and appearance of the surrounds, including the CA. It would conform with Policies CD1, CD2, CD3, CD4, CD10, CD13 and CD15 of the New Local Plan July 2024 (NLP), which together seek to ensure proposals relate to surrounding development, meet high standards of design, and protect the character of conservation areas.

Living conditions

10. As I have noted above, there are numerous windows and some glazed doors looking out over Thorndike Close, serving both residential units and the adjacent medical centre. In this context I find that the development would not appreciably add to light spill, glare or pollution above and over that presently experienced in this tight-knit, metropolitan neighbourhood.
11. I consider that the proposal would not be injurious to the living conditions of the occupiers of neighbouring properties with regard to artificial light pollution. This would meet with Policies GB10 and CD9 of the NLP, which seek to ensure that development does not harm the amenity of occupiers of nearby properties.

Conditions

12. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. The development is complete and therefore the standard time limit and plans condition are no longer necessary. The scheme has been installed with a white-painted, timber frame and a condition is imposed to retain this finish to ensure a satisfactory appearance in perpetuity.

Conclusion

13. Having regard to the above and all other issues, the appeal is allowed.

C Hall

INSPECTOR