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## Appeal Decision

Site visit made on 28 May 2025

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

an Inspector appointed by the Secretary of State

Decision date: 23 June 2025

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**Appeal Ref: APP/K5600/D/25/3359236**

**19 Lansdowne Road, Kensington And Chelsea, London, W11 3AG**

- 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 David Siverson against the decision of Royal Borough of Kensington and Chelsea.
  - The application Ref is PP/24/07218.
  - The development proposed is Permission to extend previously consented side extension forward towards street by 2,475 mm.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2024, during the consideration of this appeal. Insofar as is directly relevant to the appeal, there are no substantive changes and no parties have been prejudiced as a result.
3. The appellant has requested a change to the description of development. Instead of "Permission to extend previously consented side extension forward towards street by 2,475 mm", the appellant has suggested "demolition of the existing garage and bedroom at ground floor, and the extension of the existing lobby wing by 700mm outwards, setback from the front façade by 525mm, along with alterations to the rear fenestration, and associated works". In my view, the amended description better describes the proposal before me and I have determined the appeal on that basis.

### Main Issue

4. 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 Ladbrooke Conservation Area.

### Reasons

5. The appeal property is a four storey dwelling which forms part of a pair of mid-19<sup>th</sup> century properties with No 21 Lansdowne Road. Lansdowne Road is a residential road lined by mature trees and is characterised by similar properties with a strong and consistent palette of colours and materials. Though detailed designs vary and some properties have been previously altered the area nevertheless, maintains a strong sense of cohesion. The appeal property, like others in the area, has been

- altered over time and has a previously consented lower ground and ground floor extension which accommodates a garage and a bedroom. This extension substantially infills the gap between the property and the neighbouring boundary.
6. The appeal property is sited within the Ladbroke Conservation Area (CA) which is characterised by a spacious urban form, the communal gardens and the design and character of the buildings within it. The Ladbroke Conservation Area Appraisal, October 2015 (CAA) identifies the appeal site as a building which makes a positive contribution to the CA.
  7. The proposal is for the demolition of the existing garage and bedroom at ground floor level and the extension of the existing lobby wing by 700mm outwards, setback from the front façade by 525mm, along with alterations to the rear fenestration, and associated works. As detailed above, the proposed extension would be set back from the front elevation, however, this set back would be minimal. When viewed from the street the proposed extension would appear to be broadly flush with the existing principal elevation and the set back would not be noticeable without detailed inspection. Thus, the proposal would undermine the primacy of the existing front elevation and the lack of a meaningful set back would not allow the form of the original building to be clearly understood and would not maintain the integrity of the original building. The proposal would fail to appear as a subordinate addition and would not respect the scale and proportions of the host dwelling.
  8. Furthermore, the CAA states that the combination of buildings and the space around them combine to give the conservation area its characteristic form and significance and goes on to explain that gaps between buildings create a high quality environment giving a feeling of spaciousness by allowing light penetration and glimpses of the sky, garden greenery, trees and sometimes also other buildings beyond. Indeed, the CAA identifies the gap between the appeal site and the Grade II listed Lansdowne Road and Clarendon Road Registered Park and Garden as an important townscape gap.
  9. Due to its width, height and length, the proposed extension would significantly infill the gap between the side of the property and the neighbouring boundary; diminishing the space which surrounds the property. Visually, this infilling would appear more obvious due to the minimal set back from the front elevation of the building. As such the proposal would have the effect of eroding the sense of spaciousness which characterises the area and undermining the significance of the building within the CA. Though at ground floor level the proposal would, through the demolition of the existing garage, increase the gap to the side of the property the top floors of the proposed building would be significantly larger and the CAA is clear that important gaps also include gaps above side structures which, in this case, would be reduced.
  10. The appellant has drawn my attention to other examples of extensions and alterations which they consider similar to the scheme before me. The appellant suggests that these examples are such that the remaining gaps, though small, are nevertheless considered to have a positive impact on the CA. I accept that gaps of any size would contribute to the sense of spaciousness which characterises the area and note that there are other examples where larger gaps have been filled in or closed off. However, in my view, the piecemeal and incremental filling of such

gaps would, over time and cumulatively, have an adverse impact on the character of the CA.

11. In any event, each case must be determined on its own merits based on the specific circumstances at each site and on the planning judgement of the decision maker. These circumstances will rarely, if ever, be identical. A number of the other examples cited by the appellant were approved in a different policy context and others serve to illustrate that changes of this type can indeed cause harm to the character and appearance of the area and should not justify further unsuitable development.
12. I also accept that planning permission was previously granted for a very similar scheme<sup>1</sup>. However, the extended lobby wing in the approved scheme would be set 3000mm back from the front of the dwelling thus significantly reducing its prominence and appearing as a subservient addition. The greater set back and smaller extension would also ensure that the important sense of spaciousness would be retained. As such, the previously permitted scheme would differ from that which is before me and would not cause the degree of harm which I have identified above. The existence of this fallback position does not, therefore, add weight in favour of allowing the appeal.
13. I consider that due to the lack of a notable set back the proposal would appear as an overly dominant addition which would erode the important sense of spaciousness around the property. Consequently, the proposal would cause harm to the character and appearance of the CA. Due to the small scale of the proposal this harm 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 accept that the proposal would reinstate a meaningful gap at street level, allowing clearer views through to the communal garden behind. This would be a benefit of the scheme. However, it is clear from the evidence before me that such benefits could be achieved through alternative schemes which would not cause harm in the ways I have identified above.
16. On the other side of the balance, I have identified that the proposal would fail to preserve or enhance the character or appearance of the area and as such 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. Accordingly, the public benefits of the scheme do not outweigh the harm identified.
17. For the reasons set out above I consider that the proposal would cause harm to the character and appearance of the area and would fail to preserve or enhance the character or appearance of the Ladbroke Conservation Area. Consequently, the proposed development would fail to accord with Policies CD13 and CD15 of the Royal Borough of Kensington and Chelsea New Local Plan Review, July 2024 (LP). Taken together, in part, these policies seek to ensure that extensions and

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<sup>1</sup> Application Reference PP/24/04650

modifications to existing buildings are subordinate to the original building, to allow the form of the original building to be clearly understood and to reinforce the character and integrity of the original building. These policies also require development to protect and enhance gaps that contribute to the character and quality of an area.

18. The proposal would also conflict with LP Policies CD3 and CD4 which concern heritage assets. Amongst other things these policies state that great weight will be given to the conservation of heritage assets and specifically require development to preserve or enhance the character or appearance and significance of conservation areas.
19. The development would also fall short of the expectations of The Framework which expects great weight to be given to the conservation of heritage assets and promotes high standards of design stating that developments should be visually attractive and sympathetic to the character of the area.

### **Conclusion**

20. 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