



Appeal Decision

Site visit made on 10 June 2025

by **S Hunt BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 June 2025

Appeal Ref: APP/K5600/D/24/3357816

50 Chelsea Park Gardens, London, SW3 6AB

- 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 F Keane against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref is PP/24/06615.
 - The development proposed is described as Removal of the existing rear extension and its replacement with a new rear/side extension, lowering of the floor level, the installation of a condenser unit within the inside front roofslope at main roof level, provision of a dormer window to the rear inside roof slope with associated roof terrace, elevational improvements to the west elevation and the replacement of the windows with double glazed units to match the detailing of the existing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal affects the setting of a listed building and the appeal site is situated within the Chelsea Park Carlyle Conservation Area (CA), I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The planning application relates for a range of works to no. 50 Chelsea Park Gardens, however only the dormer window and railings to the proposed roof terrace is cited in the Council's reason for refusal. I have dealt with the appeal on this basis, whilst having regard to the above duties under the Act.

Main Issues

4. The main issues are whether the proposals would preserve the setting of a Grade II listed building, the Church of St Andrew, Park Walk (ref. 1357474), and the extent to which the proposals would preserve or enhance the character or appearance of the CA.

Reasons

5. The CA comprises a compact and dense residential area of Chelsea. Its significance is derived from the groups of attractive and good quality primarily terraced dwellings in a range of styles that reflect the changing fashions in urban design from the late Georgian period to the mid-twentieth century. The CA is surrounded almost completely by other CAs, with the Sloane/ Stanley CA being located in close proximity to the appeal site.

6. 50 Chelsea Park Gardens, and its neighbours within the terrace (no's 40 to 50), form a distinctive and visually pleasing group of dwellings with the CA. The CA appraisal notes that the street has an atmosphere found nowhere else in the CA, which relies very much on the diversely styled 'Norman Shaw' influenced dwellings, and a large number of trees which produce a garden suburb character. The early 20th century dwellings are largely in the arts and crafts style, and this includes the terrace in which the host property sits.
7. The terrace comprises two-and-a-half storey dwellings constructed of brown bricks with decorative contrasting red brick details, hung plain clay tiles to the second floor, two storey bays and, perhaps most distinctively, double hipped roofs with large ornate chimney stacks. There is a flat roof between the two hips. No. 50 is situated to the end of the terrace, and so forms the most prominent building within the terrace when viewed from the street scene.
8. The Church of St Andrew dates from a similar period to the dwellings on Chelsea Park Gardens and is faced in similar materials. Its scale dominates its locality and provides a distinct focal point at the junction of with Park Walk. It derives its interest from its geometrical Gothic style, use of materials, pleasing architectural details and its ecclesiastical use. It is important to the character of the CA not only as serving a community use but creating a landmark of high architectural quality.
9. There is no doubt that the appeal property forms part of the setting of the Church. I consider that it positively contributes to its setting, providing an attractive and architecturally distinctive backdrop to the rear of the Church. The dwelling is situated slightly further forwards than the Church, increasing its prominence and allowing clear views of its distinctive roof line.
10. The proposed dormer window would allow occupants to access the flat roof for use a terrace (which in itself is not a matter in contention), and the terrace would be bounded by simple black railings. Both the dormer and railings would be set in from the edge of the property, and I understand that amendments have been previously made to reduce the scale of the dormer. Nonetheless, the proposals would still be directly visible from numerous locations around the end of Chelsea Park Gardens around the Church and its junction with Park Walk, as well as from the street opposite (Camera Place). The proposals would not be discernible from either directly opposite the site, or from towards the Beaufort Street end of Chelsea Park Gardens.
11. The prominence and community uses of the Church are such that receptors would be more likely to dwell in this area and admire the views of both buildings. Whilst the railings would appear less dominant due to their slender design and transparency, the dormer would appear large and bulky, being a discordant and incongruous feature disruptive to the distinctive roof line. It would compete with the aforementioned distinctive features of the property, and would fail to read as a subordinate addition to the roof, detrimental to the character and appearance of the host property. I consequently find that harm would arise to both the character and appearance of the CA and to the setting of the adjacent Church of St Andrew.
12. Dormer windows of varying types and sizes are found elsewhere in the CA, including on at least two other properties in the terrace, which have similar roof terraces with dormer window access. I do not have details of their planning history before me. Nonetheless, those elsewhere in the terrace are incomparable given

that they are well screened behind the front roofs of those dwellings and by the neighbouring properties in the terrace. Their visibility with the wider CA, as well as their distance from the listed Church, set them apart from the end-of-terrace host dwelling. Others I saw in close proximity to the site appear to be original features of the arts and crafts style dwellings, and not of the sizeable box dormer type proposed.

13. Given the above, I find that the proposals would fail to preserve the setting of the listed building and the significance of the CA. Consequently, I give this harm considerable importance and weight in the planning balance. Paragraph 212 of the National Planning Policy Framework (the NPPF) (December 2024) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation.
14. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the scale of the proposals, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
15. Under such circumstances, paragraph 215 of the NPPF advises that this harm should be weighed against the public benefits of the proposal. The appellant is of the opinion that the proposals would be beneficial because some of the other proposed alterations would tidy up and improve the appearance of the western elevation. However, no public benefits have been stated specifically in relation to the matters in contention as part of this appeal. Many of the other proposed alterations may well improve the appearance of the building, and in their own right have benefits, however I find no public benefits which would be sufficient to outweigh the harm that I have identified.
16. Given the above and in the absence of any defined public benefits, I conclude that the proposals for the railings and dormer window would fail to preserve the setting of the Grade II listed Church of St Andrew and the character or appearance of the CA. This would fail to satisfy the requirements of the Act and paragraph 210 of the NPPF. The proposals also conflict with policies CD1, CD2, CD4, CD5 and CD12 of the Royal Borough of Kensington and Chelsea Local Plan (New Local Plan Review 2024), which together and amongst other things, seek to ensure that development meets the highest standards of design and respects the existing context, character and appearance, and historic characteristics, and preserves and enhances the significance of designated heritage assets.

Conclusion

17. For the reasons given above the appeal should be dismissed.

S Hunt

INSPECTOR