



Appeal Decisions

Site visit made on 3 December 2025

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal A Ref: APP/K5600/W/25/3360278

3 Bedford Gardens, London W8 7ED

- 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 Peggy Lund against the decision of The Royal Borough of Kensington and Chelsea.
 - The application Ref is PP/24/07495.
 - The development proposed is: Works to lower ground closet wing, including new side infill of painted brick, including sash window; replacement lower ground rear wing door; new stone steps from rear lower ground closet wing door. Installation of corridor between rear closet wing and rear summerhouse and new York stone pavers to external courtyard.
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Appeal B Ref: APP/K5600/Y/25/3360285

3 Bedford Gardens, London W8 7ED

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Ms Peggy Lund against the decision of The Royal Borough of Kensington and Chelsea.
 - The application Ref is LB/24/07496.
 - The works proposed are: Works to lower ground closet wing, including new side infill of painted brick, including sash window; replacement lower ground rear wing door; new stone steps from rear lower ground closet wing door. Installation of corridor between rear closet wing and rear summerhouse and new York stone pavers to external courtyard.
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Decisions

1. Appeal A is allowed and planning permission is granted for works to lower ground closet wing, including new side infill of painted brick, including sash window; replacement lower ground rear wing door; new stone steps from rear lower ground closet wing door; installation of corridor between rear closet wing and rear summerhouse and new York stone pavers to external courtyard at 3 Bedford Gardens, London W8 7ED in accordance with the terms of the application, Ref PP/24/07495, subject to the conditions in the attached schedule.
2. Appeal B is allowed and listed building consent is granted for works to lower ground closet wing, including new side infill of painted brick, including sash window; replacement lower ground rear wing door; new stone steps from rear lower ground closet wing door; installation of corridor between rear closet wing and rear summerhouse and new York stone pavers to external courtyard at 3 Bedford Gardens, London W8 7ED in accordance with the terms of the application Ref LB/24/07496, subject to the conditions in the attached schedule.

Preliminary Matters

3. These decisions address planning and listed building consent appeals for the same site and the same scheme. Whilst the remit of each regime is different, the main issues set out below relate to both appeals. To reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single decision letter. As the appeal property comprises a listed building and is situated within the Kensington Conservation Area (the CA), I shall have regard to the statutory duties that apply under Sections 16(2), 66(1), and 72(1) of the Act.
4. It is apparent from the submitted evidence that the Council's objections are centred upon the element of the proposal that comprises the provision of a corridor between the property's rear closet wing (the closet wing) and recently replaced rear summerhouse (the outbuilding) at lower ground level. Moreover, the principle of side infill to the closet wing has been accepted and no objection to the proposed replacement basement-level rear wing door has been sounded. The Council has also set out that sample paving details could be suitably secured via condition in the event permission/consent be granted. I have no reason to take different stances to the Council on these matters and shall formulate the appeal's Main Issues accordingly.

Main Issues

5. The main issues are:
 - Whether or not the proposed corridor between the closet wing and the outbuilding (the glazed link) would preserve the Grade II listed building known as '3-9, Bedford Gardens W8' (the LB) and any features of special architectural or historic interest that it possesses; and
 - Whether or not the proposed glazed link would preserve or enhance the character or appearance of the CA.

Reasons

The LB

6. The LB is Grade II Listed and comprises a brown brick terrace of early 19th-century origin that is of three storey height with an additional basement (lower ground) level. Its significance and special interest is drawn, in-part, from its age, plan form, architectural detailing, traditional materials, and the internal hierarchy of its spaces, which collectively reflect the Georgian era of the LB's origin. This significance and special interest is further underpinned by the homogeneity of the LB's principal frontage.
7. In contrast to the characteristically well-ordered and detailed principal frontage, a lesser sense of uniformity applies to the rear of the LB, which features a variety of projections of different ages and sizes at lower ground and/or upper ground floor level. These include the appeal property's closet wing at upper ground floor that sits distinct and separate from the outbuilding, which is positioned beyond a small rear courtyard. The LB's significance is thus also derived from the historic status and functional differentiation that is reflected in the respective configurations of the terrace to its front and rear.

8. The glazed link, which is intended to be introduced at lower ground level, would extend beyond the rear building line of the closet wing and provide a permanent connection to the outbuilding. Concerns have been raised that this connection would affect/reduce the subordinate and modest nature of the outbuilding and result in an unsympathetic stepped and disjointed appearance. I've also noted a suggestion made that a solid link adjacent to the proposed infill development would compound the bulk that would materialise as a consequence of the development and works.
9. However, the glazed link, owing to its glazed and frameless specification, would provide a light-touch connection between the closet wing and the outbuilding so as to promote a perception of breathing space. It would not be perceived as a solid link, especially given that it would be served by an openable glazed door off the courtyard. As such, the outbuilding would continue to be experienced as a subordinate feature distinct from the property's main living accommodation. The continuance of matching stone pavers across areas to be newly enclosed as well as the external courtyard to remain would assist with promoting this outcome.
10. For the above reasons, I find that the proposed glazed link, when considered in conjunction with other development and works before me for determination, would preserve the LB, including its setting, and any features of special architectural or historic interest that it possesses. The scheme accords with Policies CD1, CD2, CD5, CD10, and CD13 of the New Local Plan Review (July 2024) (the Local Plan) and the historic environment conservation and enhancement policies contained within the National Planning Policy Framework (December 2024) (the Framework) in so far as these policies require development to preserve the special architectural or historic interest and significance of listed buildings.

The CA

11. The significance and special interest of the CA as a designated heritage asset is drawn, in-part, from its range of featureful historic buildings and its compact linear layout. The LB comprises an important building within the CA that makes an indisputably positive contribution to the area's character and appearance.
12. It is evident that, as discussed above, an eclectic range of modern alterations have already occurred beyond the original rear building line of the LB. For the avoidance of doubt, any absence of formal planning history in relation to these elements does not alleviate their influence in a character or appearance sense. In any event, the glazed link would occupy a discreet location to the rear of the LB and be of modest height and scale. Moreover, it would comprise a low-key addition that would, when considered together with other elements of the proposal, preserve the character and appearance of the CA.
13. The scheme accords with Policies CD1, CD2, CD4, CD10, and CD13 of the Local Plan and the historic environment conservation and enhancement policies of the Framework in so far as these policies require development to preserve or enhance the character or appearance and significance of the conservation area and thereby protect the special architectural or historic interest of the area.
14. On the basis of my above reasoning upon the appeal's main issues, the proposal that is the subject of Appeal A would accord with the development plan when read as a whole and material considerations do not lead me to a decision otherwise.

Conditions

15. Draft lists of potential planning and listed building consent conditions have been provided by the Council, which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have made amendments, omissions and additions where necessary for consistency and clarity purposes.
16. For the avoidance of doubt, a plans condition is required for Appeal A in the interests of certainty. However, as there is no provision for a future application for a minor material amendment to a listed building consent, a plans condition fails to meet the test of necessity for Appeal B.
17. In the interests of preserving the special architectural and historic interest of the LB and the character and appearance of the CA, conditions are necessary with respect to both appeals that secure finishes to match the existing building. For the same reason, it is reasonable to impose further conditions under Appeal B to secure the submission of detailed sections/elevations of the glazed link as well as sample paving materials, and the retention of existing fabric (unless specified otherwise on the plans approved under Appeal A).
18. It is not reasonable or necessary to impose a condition requiring the submission of a Site Construction Management Plan (or similar). This is owing to the minor nature of the scheme and the absence of any realistic threat of a sustained adverse effect upon neighbouring residential amenity occurring as a consequence of construction activities.
19. It is also neither reasonable nor necessary to require the submission of a Sustainable Drainage Systems Strategy. This is on the basis that built development would be principally located beneath an existing permanent built structure and that, as was observable upon inspection, a hard bound surface is already in place to the small exterior rear courtyard that serves the property. Moreover, given the minor scale of development under consideration and the specific site circumstances/constraints to hand, it would be unduly onerous to require, under the remit of these appeals, either a reduction in surface water run-off or an increase in attenuation capacity. I have noted the requirements of Policy GB12 of the Local Plan in coming to this view.

Conclusion

20. For the above reasons, I conclude that both Appeal A and Appeal B should be allowed subject to conditions.

Andrew Smith

INSPECTOR

Schedule of Conditions – Appeal A

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of these decisions.
- 2) The development shall not be carried out except in complete accordance with the details shown on the following approved plans: EX1001; EX1002; PL501 Rev A; PL502; PL507 Rev A; PL508; PL509.
- 3) All elements of the development hereby permitted (other than stone paving) shall be finished to match the existing exterior of the building in respect of materials, colour, texture, profile and, in the case of brickwork, facebond and pointing, and shall be so maintained.

Schedule of Conditions – Appeal B

- 1) The works hereby consented shall be begun before the expiration of three years from the date of these decisions.
- 2) All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match adjacent parts of the existing building with regard to the methods used and to colour, material, texture, and profile.
- 3) Detailed drawings or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the works is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:
 - section and elevation drawings (scale 1:10) of the glazed link hereby consented;
 - York stone paving sample(s).
- 4) All existing fabric including existing wall and ceiling plasterwork shall be retained, unless notated otherwise on the plans approved under Condition 2 with respect to Appeal A.