

## Other Documents

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PLANNING SERVICES APPLICATION

CONSULTATION SHEET

APPLICANT:

T.E. Law,  
92 Brackenbury Road,  
London  
W6 0BD

APPLICATION NO: PP/01/00997

APPLICATION DATED: 01/05/2001

DATE ACKNOWLEDGED: 11 May 2001

APPLICATION COMPLETE: 09/05/2001

DATE TO BE DECIDED BY: 04/07/2001

SITE: 20 Walton Street, London, SW3 1RE

PROPOSAL: Construction of full rear mansard roof slope at main roof level instead of wide dormer window as approved under planning permission Ref. PP/00/2614.

ADDRESSES TO BE CONSULTED

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
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- 9.
- 10.
- 11.
- 12.
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- 14.
- 15.

AS PP/00/2614 + all objections/suppliers

20  
15/5

CONSULT STATUTORILY

HBMC Listed Buildings - CATEGORY  
 HBMC Setting of Buildings Grade I or II  
 HBMC Demolition in Conservation Area  
 Demolition Bodies  
 DoT Trunk Road - Increased traffic  
 DoT Westway etc.,  
 Neighbouring Local Authority  
 Strategic view authorities  
 Kensington Palace  
 Civil Aviation Authority (over 300')  
 Theatres Trust  
 National Rivers Authority  
 Thames Water  
 Crossrail  
 LRT/Chelsea-Hackney Line  
 Victorian Society

ADVERTISE

Effect on CA  
 Setting of Listed Building  
 Works to Listed Building  
 Departure from UDP  
 Demolition in CA  
 "Major Development"  
 Environmental Assessment  
 No Site Notice Required  
 Notice Required other reason  
 Police  
 L.P.A.C  
 British Waterways  
 Environmental Health  
 GLA - CATEGORY  
 Govt. Office for London  
 Twentieth Century Society

✓

✓

15/5  
15/5  
15/5

# DEVELOPMENT CONTROL

## TECHNICAL INFORMATION

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

ADDRESS 20 WALTON STREET

20 WALTON STREET  
SW3

POLLING DISTRICT R

- |     |  |        |  |
|-----|--|--------|--|
| HB  | Buildings of Architectural Interest          | LSC    | Local Shopping Centre                          |
| AMI | Areas of Metropolitan Importance             | AI     | Sites of Archeological Importance              |
| MDO | Major Sites with Development Opportunities   | SV     | Designated View of St. Paul's from Richmond    |
| MOL | Metropolitan Open Land                       | SNCI   | Sites of Nature Conservation Importance        |
| SBA | Small Business Area                          | REG 7  | Restricted size and use of Estate Agent Boards |
| PSC | Principal Shopping Centre (Core or Non-core) | ART IV | Restrictions of Permitted Development Rights   |

Conservation Area	HB	CPO	TPO	AMI	MDO	MOL	SBA	Unsuitable for Diplomatic Use	PSC		LSC	AI	SV	SNCI	REG 7	ART IV
									C	N						
BA	II															

	Within the line of Safeguarding of the Proposed Chelsea/Hackney underground line
	Within the line of Safeguarding of the Proposed Eastwest/Crossrail underground line

Density	
Site Area	
Habitable Rooms Proposed	
Proposed Density	

Plot Ratio	
Site Area	
Zoned Ratio	
Floor Area Proposed	
Proposed Plot Ratio	

<b>Daylighting</b>	Complies	
	Infringes	

<b>Car Parking</b>	Spaces Required	
	Spaces Proposed	

**Notes:**

1. FILE COPY

2. THE OCCUPIER,  
16 WALTON STREET,  
LONDON,  
SW3

3. THE OCCUPIER,  
18 WALTON STREET,  
LONDON,  
SW3

4. THE OCCUPIER,  
20 WALTON STREET,  
LONDON,  
SW3

5. THE OCCUPIER,  
22 WALTON STREET,  
LONDON,  
SW3

6. THE OCCUPIER,  
24 WALTON STREET,  
LONDON,  
SW3

7. THE OCCUPIER,  
FLAT 1  
26 BEAUFORT GARDENS,  
LONDON SW3

8. THE OCCUPIER,  
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9. THE OCCUPIER,  
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10. THE OCCUPIER,  
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13. THE OCCUPIER,  
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SW3

20. THE OCCUPIER,  
BASEMENT FLAT,

66A PONT STREET,  
LONDON,  
SW3

21. Susan Walker,  
The Brompton Association,  
15 Cromwell Road,  
London SW7 2JB

1. FILE COPY

2. THE OCCUPIER,  
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LONDON,  
SW3

20. THE OCCUPIER,  
BASEMENT FLAT,



66A PONT STREET,  
LONDON,  
SW3

21. Susan Walker,  
The Brompton Association,  
15 Cromwell Road,  
London SW7 2JB

**MEMORANDUM**

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**TO: FOR FILE USE ONLY**

**From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION**

---

**My Ref: PP/01/00997/JW      CODE 1D**  
**Room No:**

---

**Date: 15 May 2001**

**DEVELOPMENT AT:**

**20 Walton Street, London, SW3 1RE**

**DEVELOPMENT:**

**Construction of full rear mansard roof slope at main roof level instead of wide dormer window as approved under planning permission Ref. PP/00/2614.**

The above development is to be advertised under:-

1. Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (development affecting the character or appearance of a Conservation Area or adjoining Conservation Area)
4. Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 (applications for Listed building consent)

**M.J. French**

Executive Director, Planning & Conservation

---

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

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## FILE COPY

2079/2080

020-7361-2079/2080

Switchboard: 020-7937-5464

Extension:

Direct Line:

Facsimile:

020-7361-3463

My reference:

Your reference:

Please ask for: Date: 15 May 2001

My Ref: DPS/DCSE/PP/01/00997/JW

Planning Information Office

Dear Sir/Madam,

## TOWN AND COUNTRY PLANNING ACT 1990

### **Proposed development at: 20 Walton Street, London, SW3 1RE**

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Unfortunately, the Council does not have the resources to advise objectors of the Committee date, and you should telephone for further information.

### **Proposal for which permission is sought**

**Construction of full rear mansard roof slope at main roof level instead of wide dormer window as approved under planning permission Ref. PP/00/2614.**

**Applicant 20 Walton Street, London SW3**

Yours faithfully

**M. J. FRENCH**

Executive Director, Planning and Conservation

### WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

### WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, cannot be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

### WHAT HAPPENS TO YOUR LETTER

Planning applications where objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

### WHERE TO SEE THE PLANS

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11 (under the Westway near Ladbroke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

***PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY***

## REASON FOR DELAY

CASE NO. PP/01/997

This case has been identified as a "Target" application, which has the target for being passed through to the Head of Development Control within 6 weeks of the date of completion.

In the case of this application, there has been a delay of.....

I have been unable to pass through the case within the target period for the following reason(s) [*highlight as necessary*]

- 1) Delays due to internal Consultation (i) Design  
*[highlight one or all]* (ii) Transportation  
(iii) Policy  
(iv) Environmental Health  
(v) Trees  
(vi) Other
- 2) Further neighbour notification/external consultation necessary (spread or time period)
- 3) Awaiting Direction from English Heritage/other EH delays...
- 4) Revisions requested, but not received in time
- 5) Revisions received but inadequate
- 6) Revisions received but reconsultation necessary
- 7) Of the Committee cycle
- 8) Applicant's instruction
- 9) OTHER REASON.....

Signed..... (Case Officer)

# NOTICE OF A PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990



**KENSINGTON  
AND CHELSEA**

Notice is hereby given the Royal Borough of Kensington and Chelsea Council have received an application:

- (a) for development of land in or adjacent to a Conservation Area.
- (d) for consent to demolition and/or alteration of a building which is of architectural or historic interest.

Details are set out below.

Members of the public may inspect copies of the application, the plans and other documents submitted with it at:

The Planning Information Office, 3rd floor, The Town Hall, Hornton Street, W8 7NX between the hours of 9.15 and 4.45 Mondays to Thursdays and 9.15 to 4.30 Fridays;

For applications in the Chelsea area: The Reference Library, Chelsea Old Town Hall, Tel. 0171-361-4158.

For postal areas W10, W11 and W2: The 1st floor, North Kensington Library, 108 Ladbrooke Grove, W11, Tel. 0171-727-6583.

Anyone who wishes to make representations about this application should write to the Executive Director of Planning and Conservation at the Town Hall (Dept. 705) within 21 days of the date of this notice.

## SCHEDULE

Reference: PP/01/00997/JW

Date: 18/05/2001

20 Walton Street, London, SW3 1RE

Construction of full rear mansard roof slope at main roof level instead of wide dormer window as approved under planning permission Ref. PP/00/2614.

**APPLICANT Hawthorns Ltd.,**

*rgs ACB  
18/5*

# The Planning Inspectorate

Further information about us and the planning appeal system is available on our website [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

For official use only  
Date received

# PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 8939.

**Please use a separate form for each appeal**

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

**WARNING:** If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

## A. APPELLANT DETAILS

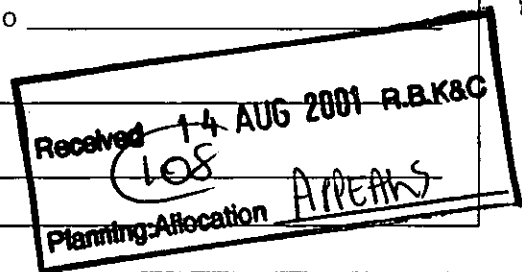
The name of the person(s) making the appeal must be the same as on the planning application form.

Name HAWTHORNS LTD

Address 90 LLOYDS BANK, SARVIA HOUSE Daytime phone no \_\_\_\_\_

LE TRUCHOT, ST-PETER PONS, GUERNSEY Fax no \_\_\_\_\_

Postcode GY1 4EN E-mail address \_\_\_\_\_



## B. AGENT DETAILS (if any)

Name T.E. LAW

Address 92 BRACKENBURY ROAD Your reference \_\_\_\_\_

LONDON Daytime phone no 020 8748 9670

Fax no 020 8748 9596

Postcode W6 0BD E-mail address awam-law@virgin.net

## C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA RB KENS + CHELSEA LPA's application reference no LB/01/00998/CLEA

Date of the planning application 1 MAY 2001 Date of LPA's decision notice (if issued) 4 JULY 2000

## D. APPEAL SITE ADDRESS

Address 20 WALTON CT

LONDON

Postcode SW3

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box.

## E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed with the LPA)

Construction of full width rear mansard at main roof

level to replace wide dormer windows approved by Listed Building

## F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

Please tick **one** box only

1. Refuse planning permission for the development described in Section E.
  2. Grant planning permission for the development subject to conditions to which you object.
  3. Refuse approval of details required by a previous outline planning permission.
  4. Grant approval of details required by a previous outline planning permission subject to conditions to which you object.
  5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).
- or
6. The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval.



## G. CHOICE OF PROCEDURE

### CHOOSE ONE PROCEDURE ONLY

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

Please note that when we decide how the appeal will proceed, we take into account the LPA's views

Please tick **one** box only ✓

#### 1. WRITTEN REPRESENTATIONS \_\_\_\_\_

The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

#### 2. HEARING \_\_\_\_\_

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

#### 3. INQUIRY \_\_\_\_\_

This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

## H. GROUNDS OF APPEAL

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

H. GROUNDS OF APPEAL (continued)

## I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the **sole** owner of the **whole** appeal site, Certificate A will apply: Please tick **one** box only

### CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

### CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served
_____	_____	_____
_____	_____	_____
_____	_____	_____

### CERTIFICATES C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

## AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b) **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding;

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below:

Tenant's name	Address at which the notice was served	Date the notice was served
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

## J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, **must** be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive **all** your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

1. A copy of the original **planning application** sent to the LPA.
2. A copy of the **site ownership certificate and ownership details** submitted to the LPA **at application stage** (this is usually part of the LPA's planning application form).
3. A copy of the **LPA's decision notice** (if issued).
4. A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map).
5. Copies of all **plans, drawings and documents** sent to the LPA as part of the application.
6. Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes).

**Copies of the following must also be sent, if appropriate:**

7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here:   

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8. Any relevant **correspondence** with the LPA.
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
  - (a) the relevant outline application;
  - (b) all plans sent at outline application stage;
  - (c) the original outline planning permission;
10. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
11. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.   

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**PLEASE TURN OVER AND SIGN THE FORM - UNSIGNED FORMS WILL BE RETURNED**

## K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and relevant documents to the LPA (*if you do not, your appeal will not normally be accepted*).
2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature Edward Law (on behalf of) HAWTHORNE LPA

Name (in capitals) J-E LAW Date 26 VII-07

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

### NOW SEND:

- **1 COPY to us at:**

The Planning Inspectorate  
Customer Support Section  
Temple Quay House  
2 The Square  
Temple Quay  
BRISTOL  
BS1 6PN

We do not currently accept  
appeals by e-mail or fax.

- **1 COPY to the LPA**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

- **1 COPY for you to keep**

When we receive your appeal form, we will:

- 1) Tell you if it is valid and who is dealing with it.
- 2) Tell you and the LPA the procedure for your appeal.
- 3) Tell you the timetable for us receiving further information or representations.

**YOU MUST KEEP TO THE TIMETABLE**

**If information or representations are received late we may disregard them. They will not be seen by the Inspector but will be sent back to you.**

- 4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

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The Copyright Unit  
Her Majesty's Stationery Office  
St Clements House  
2-16 Colegate  
Norwich NR3 1BQ

## **20 Walton Street: Reasons for Appeal against Planning Decisions:**

The rear roof slopes in this terrace of Walton Street fall into five distinct categories. Nos. 10, 12 and 14 have the original rear roof slopes with a low parapet wall and the roofs are clearly visible from Beaufort Gardens. No. 16 Walton Street is the key house in the terrace and is constructed a storey higher than its neighbours. The roof is not visible from the street. Nos. 18 and 20 were built as a pair. They differ from the other houses in the terrace in that the rear parapet wall is higher and the rear roof slope is hardly visible from the street, if at all. Nos. 22, 24 and 26 are about 2 feet higher overall and the roofs are correspondingly more visible. Nos. 28 and 30 Walton Street have had the rear roof slopes replaced with Victorian style mansards.

No. 20 Walton Street was altered some years ago when the then owner converted the roof space into a studio by constructing a wide dormer at roof level. This dormer has a very strong visual impact from all parts of Beaufort Gardens and it totally out of keeping with surrounding architecture. As you can see from the enclosed photographs the rear roof slopes of Nos. 18 and 20 are barely visible due to the taller parapet wall, however the dormer window can be clearly seen.

My client would like to replace the dormer window with a traditionally styled mansard on the line of the chimneybreast, so it will not show from the side view, with fenestration to match up with the fenestration on the floors below. This means losing the remaining part of the original roof slope which is barely if at all visible.

The Local Authority has a statutory duty to preserve and enhance the character and appearance of the conservation area, which must mean improving the aesthetics of the area. I would argue that this is best achieved by losing the roof slope which is barely visible and replacing the very prominent and unsightly dormer window with a traditional mansard. This also falls within the Royal Borough of Kensington and Chelsea's policy of allowing alterations to buildings in a Conservation Area where the alterations are in keeping with what would have been built if the alteration were an original addition. Building any sort of dormer does not satisfy that criteria whereas a mansard does.

This alteration has no impact on the surrounding properties.

NEW APPEAL

DATE: 14.8.01.

TO: DEREK TAYLOR / PAUL KELSEY  
ROY THOMPSON / BRUCE COEY

A NEW APPEAL HAS BEEN RECEIVED, WHICH FALLS IN YOUR AREA -  
FILE(S) ATTACHED. THE SITE ADDRESS IS:

20 Walton Street

1. PLEASE INDICATE THE OFFICER WHO WILL BE DEALING  
WITH THIS APPEAL:

JON WADE

2. PLEASE INDICATE THE PROCEDURE BY WHICH YOU WISH THE  
APPEAL TO BE DETERMINED:

- WRITTEN REPRESENTATIONS
- HEARING
- PUBLIC INQUIRY

N.B. The appellant has requested Written Reps / a Hearing / an Inquiry. The  
appellant has the right to be heard. If the appellant wants a Hearing and you choose  
Written Reps, this may result in an Inquiry. If the appellant requests an Inquiry and  
you would prefer a Hearing, a letter outlining reasons why will normally be required.

3. YOU ARE REMINDED TO ORDER LAND USE MAPS AS APPROPRIATE  
AT THIS STAGE

PLEASE RETURN THIS SHEET AND THE ATTACHED FILE(S) TO THE  
APPEALS SECTION WITHIN 24 HOURS

THANK YOU





# The Planning Inspectorate

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930  
Switchboard 0117-3728000  
Fax No 0117-3728443  
GTN 1371-8930

Ms H Divett (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: LB/01/00998/CLBA  
Our Ref: APP/K5600/E/01/1071505  
APP/K5600/A/01/1071506  
Date: 20 August 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990  
APPEALS BY HAWTHORNS LIMITED  
SITE AT 20 WALTON STREET, LONDON, SW3 1RE

Received 22 AUG 2001 R.B.K&C

(36)  
Planning Allocation APP

I have received appeal forms and accompanying documents for this site. I am the case officer. I am checking the papers and if I need further information, or if for legal reasons the appeals are not acceptable, I will write again.

The appellant has chosen the written procedure. The date of this letter is the starting date for the appeals. Unless you tell me otherwise, I will assume that you do not wish to exercise your right to be heard.

As you know, if you agree to the written procedure, you are required to:

- Within <sup>7 weeks</sup> ~~5 working~~ days - notify interested persons who were required to be consulted on the original planning applications, and all those who made representations at application stage, that appeals have been made. You should tell interested persons that any comments they have on the appeals should be made in writing and sent directly to me within the next 28 days. **Please also tell them that if they wish to receive a copy of the appeal decision letter, they must write to me asking for one.**
- Within the next 14 days - send the appellant and me, completed appeal questionnaires together with all the necessary enclosures.
- Within the next <sup>6 weeks</sup> ~~28~~ days - send the appellant and me, any further statement you wish to make, if the questionnaires and supporting documents do not comprise your case. Please keep the statement concise as recommended in Appendix 1 of DOE Circular 15/96.

We will arrange for our Inspector to visit the appeal site and will send you details.

You should keep to the timetable set out above. Inspectors will not accept representations at the site visit, nor will they wait for representations. Having drawn your attention to the timetable, I will not send reminders to you or the appellant.

Please send any further correspondence to me, giving the full appeal reference numbers. If you have any questions, please contact me.

*[Faint, illegible text]*

Yours faithfully

*[Faint, illegible text]*

*P. Gard*

*P* Mr Dave Shorland

102 / BPR

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

## SITE VISIT DATES

We have improved the time taken to fix the date for a site visit. Most visits are now arranged within 8 to 12 weeks from the start of the appeal. Ministers are anxious that appeal decisions are issued quickly. You must comply with the timetable in the accompanying letter, and ensure your representations are with us on time. If the representations are late, the Inspector may proceed to issue a decision without considering them.

## SECTION 106 AGREEMENTS

If you intend to rely on an obligation made under Section 106, we must receive a completed, signed and dated copy before the date of the inquiry. We will not delay the issue of the decision letter to wait for the completion of a Section 106 obligation.

**APPEAL NOTIFICATIONS**

Re: ..... *20 Watton Street* .....

Please complete the list of those to notify of the appeal and return with the file(s) to the Appeal Section within 24 hours. Thank You.

✓  WARD COUNCILLORS: **HANS TOWN WARD**

- 1.
- 2.
- 3.

✓  KENSINGTON SOCIETY (Ms Susie Symes, 19 Denbigh Terrace,  
London W11 2QJ)

✓  CHELSEA SOCIETY (Mr Hugh Krall, 51 Milman's Street,  
London SW10 0DA)

RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES:

- 1.
- 2.
- 3.

✓  ALL 3<sup>RD</sup> PARTIES ORIGINALLY NOTIFIED

✓  ALL OBJECTORS/SUPPORTERS

STATUTORY BODIES ORIGINALLY NOTIFIED

ENGLISH HERITAGE

OTHERS:.....

---

**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

---

**FILE COPY**

Direct Line: 020-7361-2664

Extension: 2664

Facsimilie:

Switchboard: 020-7937-5464

020-7361-3463

Date: 29 August 2001

---

My Ref: DPS/DCSE/PP/01/00997

DETR's Reference: App/K5600/A/01/1071506

Please ask for: Mr.J. Wade

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Notice of a Planning Appeal relating to: 20 Walton Street, London, SW3 1RE**

A Planning Appeal has been made by Hawthorns Ltd., to the Planning Inspectorate in respect of the above property. This appeal is against the Council's decision to refuse planning permission for: Construction of full rear mansard roof slope at main roof level instead of wide dormer window as approved by planning permission Ref. PP/00/02614, dated 02/04/2001.. This appeal will proceed by way of **WRITTEN REPRESENTATIONS**. Any representations you wish to make should be sent to:

**The Planning Inspectorate, Room 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN**

Please send 3 copies and quote the DETR's reference given above. **The Inspectorate must receive your representations by 01/10/2001 for them to be taken into account.** (Representations made in respect of the planning application have already been copied to the Inspectorate, and these will be considered when determining the appeal unless they are withdrawn before 01/10/2001). Correspondence will only be acknowledged on request. Any representations will be copied to **all** parties including the Inspector dealing with the appeal and the Appellant. Please note that the Inspectorate will only forward a copy of the Inspector's decision letter to those who request one.

I attach a copy of the Council's reasons for refusal and the Appellant's grounds of appeal. The Appellant's and Council's written statements may be inspected in the Planning Information Office after 01/10/2001 (**please telephone ahead in order to ensure that these are available**). If you have any further queries, please do not hesitate to contact the case officer on the above extension.

Yours faithfully

**M. J. FRENCH**

Executive Director, Planning and Conservation

## **NOTICE OF A PLANNING APPEAL**

### **Reasons for Refusal**

**The proposed replacement of the shallow pitch rear roof slope with a mansard slope is considered to be detrimental to the special architectural and historic interest of the Listed Building and the terrace in which it is situated and the character and appearance of the Thurloe/Smith's Charity Conservation Area. On this basis it is contrary to Policies contained within the Conservation and Development Chapter of the Unitary Development Plan, in particular Policies CD25, CD38, CD39, CD48, CD52, CD53 and CD58.**

### **Property**

**20 Walton Street, London, SW3 1RE**

### **Proposal**

**Construction of full rear mansard roof slope at main roof level instead of wide dormer window as approved by planning permission Ref. PP/00/02614, dated 02/04/2001.**

---

Plans and drawings are/are not available for inspection.

(If plans are available, these may be seen in the Planning Information Office between the hours of 9.15 a.m and 4.30 p.m Mondays to Thursdays and between 9.15 a.m and 4.00 p.m on Fridays)

---

## H. GROUNDS OF APPEAL

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

### **20 Walton Street: Reasons for Appeal against Planning Decisions:**

The rear roof slopes in this terrace of Walton Street fall into five distinct categories. Nos. 10, 12 and 14 have the original rear roof slopes with a low parapet wall and the roofs are clearly visible from Beaufort Gardens. No. 16 Walton Street is the key house in the terrace and is constructed a storey higher than its neighbours. The roof is not visible from the street. Nos. 18 and 20 were built as a pair. They differ from the other houses in the terrace in that the rear parapet wall is higher and the rear roof slope is hardly visible from the street, if at all. Nos. 22, 24 and 26 are about 2 feet higher overall and the roofs are correspondingly more visible. Nos. 28 and 30 Walton Street have had the rear roof slopes replaced with Victorian style mansards.

No. 20 Walton Street was altered some years ago when the then owner converted the roof space into a studio by constructing a wide dormer at roof level. This dormer has a very strong visual impact from all parts of Beaufort Gardens and it totally out of keeping with surrounding architecture. As you can see from the enclosed photographs the rear roof slopes of Nos. 18 and 20 are barely visible due to the taller parapet wall, however the dormer window can be clearly seen.

My client would like to replace the dormer window with a traditionally styled mansard on the line of the chimneybreast, so it will not show from the side view, with fenestration to match up with the fenestration on the floors below. This means losing the remaining part of the original roof slope which is barely if at all visible.

The Local Authority has a statutory duty to preserve and enhance the character and appearance of the conservation area, which must mean improving the aesthetics of the area. I would argue that this is best achieved by losing the roof slope which is barely visible and replacing the very prominent and unsightly dormer window with a traditional mansard. This also falls within the Royal Borough of Kensington and Chelsea's policy of allowing alterations to buildings in a Conservation Area where the alterations are in keeping with what would have been built if the alteration were an original addition. Building any sort of dormer does not satisfy that criteria whereas a mansard does.

This alteration has no impact on the surrounding properties.

# QUESTIONNAIRE

## PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

OUR REF: LB/01/998

APPEAL REF: APP /KS600/A/01/1071505 GRID REF: \_\_\_\_\_

APPEAL BY: HAWTHORNS LTD

SITE: 20 WALTON STREET SW3

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from the starting date given in our letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the starting date.

1. Do you agree to the written representations procedure?	<input checked="" type="radio"/> YES <input type="radio"/> NO
OR Do you wish to be heard by an Inspector at: a. a local inquiry? or b. a hearing?	YES <input checked="" type="radio"/> NO YES <input checked="" type="radio"/> NO
2. If the written procedure is agreed, could the Inspector make an unaccompanied site visit?	YES <input checked="" type="radio"/> NO
<i>(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)</i>	
3. Does the appeal relate to an application for approval of reserved matters?	YES <input checked="" type="radio"/> NO
4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	<input checked="" type="radio"/> YES <input type="radio"/> NO / NA
5. Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	<input checked="" type="radio"/> YES <input type="radio"/> NO



6. Is the appeal site within an approved Green Belt or AONB?

Please specify which . . . . .

YES  NO

7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)

YES /  NO

8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State?  
If YES, please attach details and, where necessary, give our reference numbers.

A101/1071506

YES / NO

b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.

YES /  NO

9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)

CONS Area 13A

YES / NO

10. Does the appeal relate to an application for conservation area consent?

YES /  NO

11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building?

YES / NO  
Grade I / II\* /  II

b. Would the proposed development affect the setting of a listed building?

YES /  NO

If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)

12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?

YES /  NO

13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?

YES /  NO

b. If YES, was English Heritage consulted? Please attach a copy of any comments.

~~YES / NO~~

14.a. Is the appeal site in or adjacent to or likely to affect an SSSI?  
If YES, please attach the comments of English Nature.

YES /  NO

b. Are any protected species likely to be affected by the proposals?  
If YES, please give details.

YES /  NO

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:

- a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.
- b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?
- c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.
- d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;
- e. Any representations received as a result of an Article 7 (or Regulation 6) notice;
- f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;
- g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);
- h. Details of any other applications or matters you are currently considering relating to the same site;
- i. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies. Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.**  
*Chapters 1-4 UDP & proposed alterations*
- j. Any supplementary planning guidance, together with its status, that you consider necessary.
- k. Any other relevant information or correspondence you consider we should be aware of.

YES <input type="radio"/> NO <input checked="" type="radio"/>	
<del>Sch1</del> <del>Sch 2 col 1</del>	
YES <input type="radio"/> NO <input checked="" type="radio"/>	
YES <input type="radio"/> NO <input checked="" type="radio"/>	
Number of Documents Enclosed	N/A
	✓
	✓
1	
0	
	✓
Not decided yet y appropriate	

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?

29/8/01

*Notif. letter dated ->*

b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.

Number of Documents Enclosed

N/A

i) representations received from interested parties about the original application

0

ii) the planning officer's report to *committee/members panel*

✓

iii) any relevant committee minute

✓

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

Do you intend to send another statement about this appeal?  
If NO, please send the following information:-

YES / NO

~~a. In non-determination cases:~~

~~i) what the decision notice would have said;~~

~~ii) how the relevant development plan policies relate to the issues of this appeal.~~

~~b. In all cases:~~

~~i) the relevant planning history;~~

~~ii) any supplementary reasons for the decision on the application;~~

~~iii) matters which you want our Inspector to note at the site visit.~~

18. THE MAYOR OF LONDON CASES ONLY

a. Was it necessary to notify the Mayor of London about the application?  
If YES, please attach a copy of that notification.

YES / NO

~~b. Did the Mayor of London issue a direction to refuse planning permission  
If YES, please attach a copy of that direction.~~

~~YES / NO~~

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature: *B. B. ...* on behalf of *RBKC* Council

Date sent to us and the appellant *30/8/01*

**Please tell us of any changes to the information you have given on this form.**

This document is printed on a recycled (UK) paper containing 100% post-consumer waste.

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St Clements House  
2-16 Colgate  
Norwich NR3 1BQ

# QUESTIONNAIRE

## PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

OUR REF: PP/01/997

APPEAL REF: APP /KS600/A/01/1071506 GRID REF: \_\_\_\_\_

APPEAL BY: HAWTHORNS LTD

SITE: 20 WALTON STREET SW3.

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from the starting date given in our letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the starting date.

1. Do you agree to the written representations procedure?	<input checked="" type="radio"/> YES <input type="radio"/> NO
OR Do you wish to be heard by an Inspector at: a. a local inquiry? or b. a hearing?	YES <input checked="" type="radio"/> NO
2. If the written procedure is agreed, could the Inspector make an unaccompanied site visit?	<del>YES</del> <input checked="" type="radio"/> NO
<i>(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)</i>	
3. Does the appeal relate to an application for approval of reserved matters?	YES <input checked="" type="radio"/> NO
4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	<input checked="" type="radio"/> YES / <input type="radio"/> NO / <input type="radio"/> NA
5. Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	<input checked="" type="radio"/> YES <input type="radio"/> NO

6. Is the appeal site within an approved Green Belt or AONB?

Please specify which .....

YES/NO

7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)

YES/NO

8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State?

If YES, please attach details and, where necessary, give our reference numbers.

YES/NO

E/01/1071505

b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.

YES/NO

9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)

Cons Area 13A

YES/NO

10. Does the appeal relate to an application for conservation area consent?

YES/NO

11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building?

YES/NO  
Grade I / II\* / II

b. Would the proposed development affect the setting of a listed building?

YES/NO

If the answer to question 11 a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)

12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?

YES/NO

13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?

YES/NO

b. If YES, was English Heritage consulted? Please attach a copy of any comments.

~~YES/NO~~

14.a. Is the appeal site in or adjacent to or likely to affect an SSSI?

If YES, please attach the comments of English Nature.

YES/NO

b. Are any protected species likely to be affected by the proposals?

If YES, please give details.

YES/NO

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:

a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.

YES/NO

~~Sch 1~~ Sch 2 col 1

b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?

YES/NO

c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.

YES/NO

d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;

Number of Documents Enclosed

N/A

e. Any representations received as a result of an Article 7 (or Regulation 6) notice;

f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;

g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);

h. Details of any other applications or matters you are currently considering relating to the same site;

i. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.

j. Any supplementary planning guidance, together with its status, that you consider necessary.

k. Any other relevant information or correspondence you consider we should be aware of.

Not decided yet if appropriate

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?

29/8/01

*Notif. letter dated ->*

b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.

Number of Documents Enclosed	N/A
0	
✓	

- i) representations received from interested parties about the original application
- ii) the planning officer's report to ~~committee~~ *members panel*
- iii) ~~any relevant committee minute~~

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

Do you intend to send another statement about this appeal?  
If NO, please send the following information:-

YES / NO

a. In non-determination cases:

- i) what the decision notice would have said;
- ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

- i) the relevant planning history;
- ii) any supplementary reasons for the decision on the application;
- iii) matters which you want our Inspector to note at the site visit.

18. THE MAYOR OF LONDON CASES ONLY

a. Was it necessary to notify the Mayor of London about the application?  
If YES, please attach a copy of that notification.

YES / NO

b. Did the Mayor of London issue a direction to refuse planning permission  
If YES, please attach a copy of that direction.

YES / NO

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature: *B. Bond* on behalf of *RBXC* Council

Date sent to us and the appellant *30/8/01*

**Please tell us of any changes to the information you have given on this form.**

---

**PLANNING AND CONSERVATION**

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Department of Transport,  
Local Government and the Regions,  
3/07 KiteWing,  
Temple Quay House,  
2 The Square, Temple Quay,  
Bristol, BS1 6PN

Switchboard: 020-7937-5464

Direct Line: 020-7361-2664

Extension: 2664

Facsimilie: 020-7361-3463

---

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

Date: 30 August 2001

My Ref: DPS/DCSE/PP/01/00997/JW  
DETR's Reference: App/K5600/A/01/1071506

Please ask for: Mrs. P. Abdelrahman

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeal relating to: 20 Walton Street, London, SW3 1RE**

With reference to the appeal on the above premises, I return the completed questionnaire, together with supporting documents. In the event of this appeal proceeding by way of a local Inquiry the Inspector should be advised that Committee Rooms in the Town Hall must be vacated at 5.00 p.m. unless prior arrangements have been made for the Inquiry to continue after 5.00 p.m.

Yours faithfully,

**M.J. FRENCH**

Executive Director, Planning and Conservation

Enc.



---

**PLANNING AND CONSERVATION**

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

T.E. Law,  
92 Brackenbury Road,  
London  
W6 0BD

Switchboard: 020-7937-5464  
Direct Line: 020-7361-2664  
Extension: 2664  
Facsimile: 020-7361-3463



**KENSINGTON  
AND CHELSEA**

---

Date: 30 August 2001

---

My Ref: DPS/DCSE/PP/01/00997/JW  
DETR's Reference: App/K5600/A/01/1071506

Please ask for: Mr.J. Wade

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**  
**Appeal relating to: 20 Walton Street, London, SW3 1RE**

With reference to your appeal on the above address(es), enclosed you will find the Council's Questionnaire and attached documents as necessary.

Yours faithfully,

**M.J. FRENCH**

Executive Director, Planning and Conservation

Enc.

# Trevor Ewan Law

MIDDA

92 Brackenbury Road

London W6 0BD

Tel: 020 8748 9670

Fax: 020 8748 9596



The Chief Planning Officer  
Dept. of Planning  
Town Hall  
Hornton Street  
London W8 7NX

17 viii 01

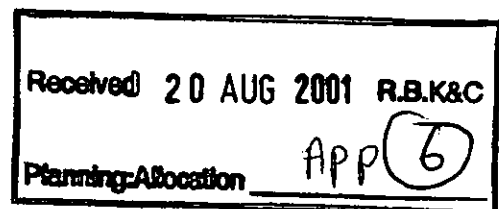
Dear Sir,

**Re: 20 Walton Street, London SW3: Appeal against Planning Decision:**

Please find enclosed copies of documents the Planning Inspectorate has requested I send to you.

Yours faithfully,

*Trean*



---

**PLANNING AND CONSERVATION**

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

**THE ROYAL  
BOROUGH OF**



T.E. Law,  
92 Brackenbury Road,  
London  
W6 0BD

Switchboard: 020-7937-5464

Direct Line: 020-7361-2664

Extension: 2664

Facsimile: 020-7361-3463

**KENSINGTON  
AND CHELSEA**

**4 JUL 2001**

---

My Ref: LB/01/00998/CLBA

Please ask for: South East Area Team

Dear Sir/Madam,

**PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990- SECTION 7**

**WORKS OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST  
(DL2)**

**REFUSAL OF CONSENT**

The Borough Council hereby REFUSES consent to the works to the Listed Building(s) referred to in the under-mentioned schedule, as shown in the plans submitted. Your attention is drawn to the enclosed Information sheet

**SCHEDULE**

**DEVELOPMENT:** Construction of full rear mansard roof slope at main roof level instead of a wide dormer window as approved by Listed Building Consent Ref. LB/00/02615 dated 02/04/2001.

**SITE ADDRESS:** 20 Walton Street, London, SW3 1RE

**RBK&C Drawing Nos:** LB/01/00998

**Applicant's Drawing Nos:** WS 108

**Application Dated:** 01/05/2001

**Application Completed:** 09/05/2001

**REASON(S) FOR REFUSAL OF PERMISSION ATTACHED OVERLEAF**

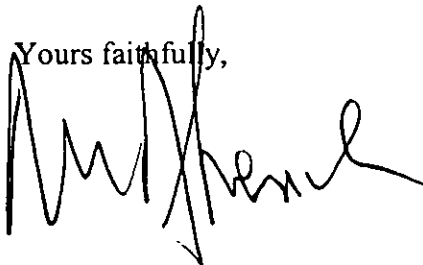
**REASON FOR REFUSAL:**

The proposed replacement of the shallow pitch rear roof slope by a mansard slope is considered to be detrimental to the special architectural character and historic interest of the Listed Building and the terrace in which it is situated and the character and appearance of the Thurloe/Smith's Charity Conservation Area. On this basis it is contrary to policies contained within the Conservation and Development Chapter of the Unitary Development Plan, in particular Policies CD25, CD38, CD39, CD48, CD52, CD53 and CD58.

**INFORMATIVE**

You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD25, CD38, CD39, CD48, CD52, CD53 and CD58. (I51)

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Michael J. French', written over the closing 'Yours faithfully,'.

**Michael J. French**  
Executive Director, Planning and Conservation

**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**THE ROYAL  
BOROUGH OF**



T. E. Law,  
92 Brackenbury Road,  
London,  
W6 0BD

Switchboard: 020-7937-5464  
Direct Line: 020-7361-2664  
Extension: 2664  
Facsimile: 020-7361-3463

**KENSINGTON  
AND CHELSEA**

**2 APR 2001**

My Ref: LB/00/02615/CLBA/4030

Please ask for: South East Area Team

Dear Sir/Madam,

**PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990- SECTION 7**  
**WORKS OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST**  
**(DL1)**

The Borough Council, hereby consent to the works to the Listed Buildings referred to in the undermentioned schedule, subject to the conditions set out therein and in accordance with the plans submitted, save insofar as may otherwise be required by the said conditions. Your attention is drawn to the enclosed Information Sheet.

**SCHEDULE**

**DEVELOPMENT:** Erection of rear lower ground floor extension, increase in projection of rear dormer, elevational alterations and internal alterations.

**SITE ADDRESS:** 20 Walton Street, London, SW3 1RE

**RBK&C Drawing Nos:** LB/00/02615 and LB/00/02615/B

**Applicant's Drawing Nos:** WS100; WS101b/C; WS104/B and WS105/B

**Application Dated:** 05/11/2000

**Application Completed:** 08/11/2000

**Application Revised:** 27/02/2001

**FULL CONDITION(S), REASON(S) FOR THEIR IMPOSITION AND INFORMATIVE(S)  
ATTACHED OVERLEAF**

**CONDITION(S) AND REASON(S) FOR THEIR IMPOSITION**

- 1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent. (C201)**  
*Reason - As required by Section 18 of the Planning (Listed Buildings and Conservation Areas Act) 1990, to avoid the accumulation of consents. (R201)*
- 2. The works hereby permitted shall be carried out in their entirety exactly and only in accordance with the drawings, and other particulars, forming part of the Consent, and there shall be no variation therefrom without the prior written approval of the Local Planning Authority. (C205)**  
*Reason - In order to safeguard the special architectural or historic interest of the building. (R205)*
- 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 work is begun:**

  - (a) the proposed new fire surrounds in the lower and upper ground floor levels;**
  - (b) cornice in the main entrance hall;**
  - (c) rear ground floor balconette railings.**

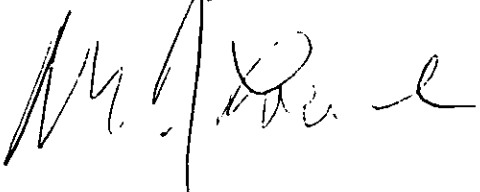
*Reason - In order to safeguard the special architectural or historic interest of the building. (R206)*
- 4. The cill level of the proposed dormer window shall be as shown on section drawing WS104/B (received on 27/02/2001), and shall be so maintained.**  
*Reason - In order to safeguard the special architectural or historic interest of the building. (R206)*
- 5. The external window frames of the dormer window shall be dark grey painted and so maintained.**  
*Reason - In order to safeguard the special architectural or historic interest of the building. (R206)*
- 6. Any new partitions shall be of lightweight construction and easily reversible.**  
*Reason - In order to safeguard the special architectural or historic interest of the building. (R206)*

7. **The proposed new windows and french doors shall be single glazed, without trickle vents, and shall be so maintained.**  
*Reason - In order to safeguard the special architectural or historic interest of the building. (R206)*

**INFORMATIVE(S)**

1. You are reminded that no work should commence on implementing this Listed Building Consent until all matters, samples, and details reserved by Condition have been submitted and approved by this Authority. It is an offence to carry out work to a Listed Building unless all such Conditions have been complied with. This Council will use its Enforcement powers, including use of Breach of Condition Notices or Prosecution, to ensure compliance with Conditions and prevent harm to the special historic character and historic interest of Listed Buildings. You are advised that there is currently a maximum fine of £20,000 if the offence is dealt with summarily, but if the offence is dealt with by indictment the fine is unlimited. (I10A)
2. The Directorate of Planning Services will be pleased to advise on matters relating to the restoration of architectural features such as cornices and mouldings. Please contact the Design and Conservation Section of the Directorate of Planning Services, Town Hall, Hornton Street, London, W8 7NX (020-7361-2465). (I12)
3. Separate approval for the works forming the subject of this application may be required under the Building Act 1984 and/or the Building Regulations 1991, and this decision does not imply that such a consent will be given. The Director of Building Control, Town Hall, Hornton Street W8 7NX should be consulted before works commence. (I21A)
4. You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD25, CD48, CD52, CD53 and CD58. (I51)

Yours faithfully,



**Michael J. French**  
Executive Director, Planning and Conservation

---

**PLANNING AND CONSERVATION**

THE TOWN HALL, HORNTON STREET LONDON W8 7NX

---

**THE ROYAL  
BOROUGH OF**

Executive Director M.J.FRENCH FRICS Dip TP MRTPI Cert TS

---

T. E. Law,  
92 Brackenbury Road,  
London,  
W6 0BD

Switchboard: 020-7937-5464

Direct Line: 020-7361-2664

Extension: 2664

Facsimile: 020-7361-3463



**KENSINGTON  
AND CHELSEA**

---

**- 2 APR 2001**

---

My Ref: PP/00/02614/CHSE/4029

Please ask for: South East Area Team

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988**

**Permission for Development (Conditional) (DP1)**

The Borough Council hereby permit the development referred to in the under mentioned schedule subject to the conditions set out therein and in accordance with the plans submitted, save in so far as may otherwise be required by those plans or by the said conditions. Your attention is drawn to the enclosed information sheet.

**SCHEDULE**

**DEVELOPMENT:** Erection of rear lower ground floor extension, increase in projection of rear dormer and elevational alterations.

**SITE ADDRESS:** 20 Walton Street, London, SW3 1RE

**RBK&C Drawing Nos:** PP/00/02614 and PP/00/02614/B

**Applicant's Drawing Nos:** WS100; WS101b/C; WS104/B and WS105/B

**Application Dated:** 05/11/2000

**Application Completed:** 08/11/2000

**Application Revised:** 27/02/2001

**FULL CONDITION(S), REASON(S) FOR THEIR IMPOSITION AND INFORMATIVE(S)  
ATTACHED OVERLEAF**



## CONDITION(S) AND REASON(S) FOR THEIR IMPOSITION

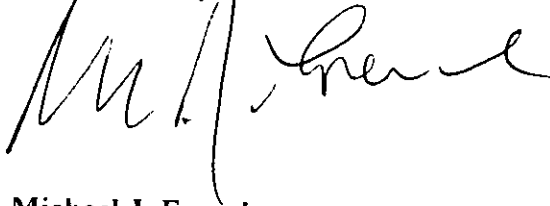
1. **The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)**  
*Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)*
  
2. **The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Local Planning Authority. (C068)**  
*Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)*
  
3. **The side french doors in the ground floor rear bay window shall remain fixed shut and this shall be permanently maintained.**  
*Reason - In the interests of residential amenity.*
  
4. **The proposed new windows and french doors shall be single glazed, without trickle vents, and shall be so maintained.**  
*Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)*
  
5. **The cill level of the proposed dormer window shall be as shown on section drawing WS104/B (received 27.02.2001), and shall be so maintained.**  
*Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)*

## INFORMATIVE(S)

1. Conditional Planning Permission is hereby granted for the development as shown on the approved drawings. Any alteration to the approved scheme, resulting from the requirements of the Building Regulations or for any other reason, may require further permission. You are advised to consult the Directorate of Planning Services before work commences if this is the case. (I09)
  
2. Your attention is drawn to the Conditions of this Permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990, as amended. (I10)

3. This property is within a Conservation Area Building works should, therefore, be completed with great care. External facing work and detailed treatment should be finished in a manner sympathetic to the existing building. If there is any doubt about the way in which work should be carried out, you should consult the Directorate of Planning Services. (111)
4. Separate approval for the works hereby granted planning permission may be required by the Building Act 1984 and the Building Regulations 1991, and the grant of planning permission does not imply that such approval will be given. The Director of Building Control, Town Hall, Hornton Street, W8 7NX should be consulted before works commence. (121)
5. You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD25, CD30, CD38, CD39, CD41, CD48, CD52 and CD53. (151)

Yours faithfully,



**Michael J. French**  
Executive Director, Planning and Conservation



# The Planning Inspectorate

*SW*

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930  
Switchboard 0117-3728000  
Fax No 0117-3728443  
GTN 1371-8930

Ms H Divett (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref:

LB/01/00998/CLBA

Our Ref:

APP/K5600/E/01/1071505  
APP/K5600/A/01/1071506

Date:

16 August 2001

Dear Madam

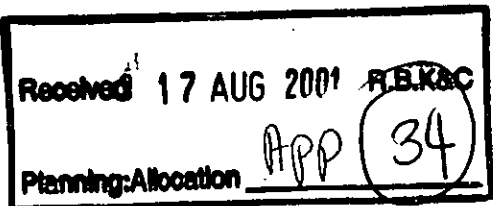
**TOWN & COUNTRY PLANNING ACT 1990**  
**PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990**  
**APPEALS BY HAWTHORNS LIMITED**  
**SITE AT 20 WALTON STREET, LONDON, SW3 1RE**

Please find enclosed a copy of the letter I have sent to the agent regarding missing documents for the above appeals.

Yours faithfully

Mr D Shorland

211AL(BPR)





# The Planning Inspectorate

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930  
Switchboard 0117-3728000  
Fax No 0117-3728443  
GTN 1371-8930

T E Law  
92 Brackenbury Road  
London  
W6 0BD

Your Ref:

Our Ref: APP/K5600/E/01/1071505  
APP/K5600/A/01/1071506

Date: 16 August 2001

Dear Sir/Madam

**TOWN & COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990  
APPEALS BY HAWTHORNS LIMITED  
SITE AT 20 WALTON STREET, LONDON, SW3 1RE**

Thank you for sending us the above appeals.

I have checked the appeal documents but you have not included those on the attached checklist [201A]. Please send one copy of these to me at the above address and one copy to the local planning authority (LPA), as soon as possible. If you do not have them, you may be able to obtain copies from the LPA. ///

Please remember that there is a 6 month deadline for the submission of all your appeals documents. This deadline runs from the date of the LPA's refusal notice or, if your appeals are against the LPA's failure to make a decision, from the end of the 8 week period which the LPA had to determine the application. **If we have not received all your appeal documents by the 6 month deadline, we will not be able to proceed and your appeals will be turned away.**

If you have any queries about this letter, please phone or write to me.

Yours faithfully

  
Mr D Shorland

213(BPR)

# The Planning Inspectorate

**Remember we must receive documents before the deadline for submitting appeals expires.**

You need to send:

- A copy of the notice refusing planning permission, or allowing conditional permission, against which you are appealing. Dated 4 July 2001 on your appeal form.
- A copy of the previous planning permission, relating to reference number PP/00/2614.
- A copy of the previous Listed Building consent, relating to reference number LB/00/02615, dated 2 April 2001.

**Please give our reference number when you reply.**

The Planning Inspectorate  
Temple Quay House  
2 The square  
3/07 Kite Wing  
Temple Quay  
Bristol  
BS1 6PN

TQ 2779 SE  
41/4  
15.4.69

WALTON PLACE SW3

Nos 10 to 17 (consec) and  
No 18 (including 42 Hans  
Road)

GV

II

Formal stucco terrace probably by George Basevi c1830. Stucco. Four storeys, two windows each. Channelled stucco to ground floor. Projecting porches with square piers. First floor continuous cast iron balcony; dentil cornice above second floor and subsidiary cornice above. Nos 10 and 18 slightly advanced with rusticated quoins. Cast iron garden railings.  
One of a pair of terraces with Nos 1-9.

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TQ 2779 SE  
41/6

WALTON STREET SW3

Nos 2 to 30 (even)

GV

II

Mid C19. Stuccoed, classical terrace of paired houses. Two storeys plus attic and basement. Two windows, one set back over door. Paired Ionic porches. Iron balcony to ground floor. Bracketted cornice and blocking course. Centre house, No 16, has one extra storey and colonnade across ground floor. No 2 has 'L' plan to follow road, is three storeys and three windows wide. Otherwise similar. Iron area railings.

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TQ 2779 SE  
41/28

WALTON STREET SW3

No 32

GV

II

House. Mid C19. Stuccoed. Four storeys plus attic and basement. One window wide. Single storey entrance wing to side with covered iron verandah over. Iron area railings.

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TQ 2779 SE  
41/7

WALTON STREET SW3

Nos 34 to 44 (even)

GV

II

Terrace. Mid C19. Three storeys plus attic and basement. Stucco. Channelling to ground floor. Continuous iron balconies and round headed windows to 1st floor. Nos 34 and 44 set forward with rusticated quoins, No 34 having additional storey. Iron area railings.

---

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Mr. D. Shorland,  
3/07 Kite Wing,  
Temple Quay House,  
2 The Square,  
Temple Quay,  
Bristol, BS1 6PN

Switchboard: 020 7937 5464  
Extension: 2664  
Direct Line: 020 7361 2664  
Facsimile: 020 7361 3463  
Web: [www.rbkc.gov.uk](http://www.rbkc.gov.uk)



KENSINGTON  
AND CHELSEA

---

27 September 2001

---

My reference: PP/01/0997

Your reference: APP/K5600/E/01/ Please ask for: Mr. J. Wade  
1071505,  
APP/K5600/A/A/  
01/1071506

Dear Mr. Shorland,

**Re: Town and Country Planning Act 1990**  
**Planning (Listed Buildings and Conservation Areas) Act 1990**  
**Appeals by Hawthorns Limited**  
**Site at 20 Walton Street, London, SW3 1RE**

Further to the above appeal, I enclose a copy of the relevant report to Members' Panel with the proposed grounds of refusal (appendix 1). The relevant chapters of the Council's Unitary Development Plan adopted on 28<sup>th</sup> August 1995 and the Public Inquiry Version of the Unitary Development Plan are enclosed. The status of the Inquiry Unitary Development Plan is that a Local Inquiry was held between 10<sup>th</sup> January 2001 and 15<sup>th</sup> February 2001 and the Inspector's Report was received on 3<sup>rd</sup> July 2001. The alterations have acquired weight as they have progressed through the statutory process. In terms of Policies CD25, CD38, CD39, CD48, CD52, CD53 and CD58, the word 'materials' has been included in Policy CD25 and the qualifying sentence in Policy CD39 that roof level alterations are normally permitted only where "the alterations are architecturally sympathetic to the age and character of the building and would not harm its appearance". In terms of listed building Policy CD58, the only alteration that may be relevant to this appeal is that the word 'retained' has been replaced by 'preserved'. (appendix 2)

**The Council's Case**

The main body of the Council's case has been outlined in the formal observations of the Design and Conservation Officer which have been included in the Committee report attached. In relation to other properties in the terrace, there is no record as to when the upper storey extension to No. 16 Walton Street was permitted but it may well have been prior to the Town and Country Planning Act being introduced. Nos. 22, 24 and 26 Walton Street are hidden from view by properties within Beaufort Gardens in a similar manner to Nos. 6, 8 and 10. It is the end vista of the Beaufort Gardens cul-de-sac which is considered most sensitive and this consists of Nos. 12-18 (even).

Nos. 2-30 (even) Walton Street are listed for their group value Grade II with the following description:

/ Contd.....

"Mid C19. Stuccoed, classical terrace of paired houses. Two storeys plus attic and basement. Two windows, one set back over door. Paired Ionic porches. Iron balcony to ground floor. Bracketted cornice and blocking course. Centre house, No. 16, has one extra storey and colonnade across ground floor. No. 2 has 'L' plan to follow road, is three storeys and three windows wide. Otherwise similar. Iron area railings". (appendix 3)

It is evident that the rear elevation of the properties consisted of a vertical brick rise up to second floor level with a shallow slated roof slope above and no mansard roof. The roofs at third floor level therefore have minimal impact on the scale and appearance of the terrace from the Beaufort Gardens cul-de-sac.

The introduction of a mansard roof represents an alien roof profile and would be an unwelcome feature on the rear of these largely unaltered terraced properties. It would have a much stronger presence rather than being a subservient feature creating a precedent which would substantially alter the rear of these listed properties if followed.

The appellant contends that the introduction of a mansard roof will be an improvement. The Council acknowledges that the existing dormer window is not an attractive feature and the previous application (ref. PP/00/02614) sought to improve its appearance. This was undertaken by negotiating a number of detailed changes such as more traditional fenestration, fascia and grey painted finish to reduce its impact. However, to improve the appearance by introducing a steeper roof pitch is not accepted as it would create a much more dominant roof form which is not a feature of this listed group of properties. This is only one location in Beaufort Gardens where the ridgeline of the roof is likely to coincide with the top of the mansard, in all other locations the mansard roof would be viewed more clearly. On this basis, it is considered detrimental to the special architectural character and historic interest of the building and the terrace as a whole and the character and appearance of the Thurloe/Smith's Charity Conservation Area.

In terms of the relevant policies, it is considered that the mansard roof would be out of character with the adjoining terraced properties which have generally retained their shallow pitched roofs. Any changes that have been undertaken predate the current Unitary Development Plan (August 1995). On this basis, the proposal is considered contrary to Policy CD25.

In terms of roof level alterations, the proposal is considered contrary to Policy CD38(c), (f) and (h).

In terms of Policy CD58, it is considered that the shallow pitched roof is an architectural feature of interest that should be retained and the alterations would not be in keeping with the style of the original building. On this basis, the proposal is considered contrary to this policy.

If the Secretary of State is minded to grant this appeal, then conditions containing the following details are suggested:-

1. A condition requiring the use of sliding single glazed timber framed sash windows.
2. An accurate cross section drawing showing the construction details of the dormer roof.
3. The use of vertical glazing bars in the sash windows.
4. The dormer roof and cheeks to be clad in lead.



/3. ....

However, it is considered that the proposal will cause demonstrable harm to the listed building and the terrace as a whole and on this basis, it is respectfully requested that this appeal be dismissed.

Yours sincerely,

M. J. FRENCH  
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION



# The Planning Inspectorate

JW

3/23 Hawk Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728460  
Switchboard 0117-3728000  
Fax No 0117-3728804  
GTN 1371-8460

Ms H Divett (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: LB/01/00998/CLBA  
Our Ref: APP/K5600/E/01/1071505  
APP/K5600/A/01/1071506  
Date: 30 October 2001

Dear Madam

11

**TOWN & COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990  
APPEALS BY HAWTHORNS LIMITED  
SITE AT 20 WALTON STREET, LONDON, SW3 1RE**

I am writing to inform you that the Inspector appointed by the Secretary of State to determine the above appeals is

Mr Jim Dickinson MA DiplArch Registered Arch

The Inspector will visit the appeal site at 09:30 on 22/11/2001. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

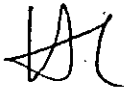
At the commencement of the site inspection the Inspector will make it clear that the purpose of the visit is not to discuss the merits of the appeals or to listen to arguments from any of the parties.

The Inspector will ask the parties to draw attention to any physical features on the site and in its vicinity. In turn the Inspector may wish to confirm particular features referred to by interested parties in their written representations.

In general, decision letters are issued within 5 weeks of the date of the Inspector's site visit, although we cannot be precise about individual cases. If despatch of the letters is likely to be significantly delayed, we will let you know.

DIR	AD	TP	CAC	AD	CLU	AO	AK
RB	KJC	31 OCT 2001			PLANNING		
N	Q	SW	SE	APP	IO	RRC	
			ARB	FPLN	DES	FREQ	

Yours faithfully



Miss Heather Langridge

**NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.**

209D



# Appeal Decision

Site visit made on 22 November 2001

by J L Dickinson MA Dipl Arch

an Inspector appointed by the Secretary of State for Transport,  
Local Government and the Regions

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Date

7 DEC 2001

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## Appeal A: APP/K5600/E/01/1071505

Site address: 20 Walton Street, SW3 1RE

- The appeal is made under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal of listed building consent.
- The appeal is made by Hawthorns Ltd against the decision of the Kensington and Chelsea Royal Borough Council.
- The application (ref: LB/01/00998), dated 1 May 2001, was refused by notice dated 4 July 2001.
- The works proposed are alterations to rear roof changing a dormer window to a traditional mansard

**Summary of Decision: The appeal is dismissed**

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## Appeal B: APP/K5600/A/01/1071506

Site address: 20 Walton Street, SW3 1RE

- 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 Hawthorns Ltd against the decision of the Kensington and Chelsea Royal Borough Council.
- The application (ref: PP/01/00997), dated 8 May 2001, was refused by notice dated 4 July 2001.
- The development proposed is the construction of a full rear mansard roof slope at main roof level instead of a wide dormer window as approved under planning permission ref: PP/00/02614.

**Summary of Decision: The appeal is dismissed**

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### Procedural Matters

1. No. 20 is a Grade II listed building set within the Thurloe Estate and Smith's Charity Conservation Area. It is also listed for its group value and it backs onto Beaufort Gardens, a public highway, from whence its rear elevation can clearly be seen.

### The Development Plan and other Planning Guidance

2. Section 54A of the Town and Country Planning Act 1990, as amended, requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In the case of Appeal B the development plan consists of the 1995 Royal Borough of Kensington and Chelsea Unitary Development Plan. Relevant policies to which attention has been drawn are CD 25, 38, 39, 48, 52, 53 and 58. Basically these policies seek to resist roof level alterations which are unsympathetic, or out-of-character with their surroundings especially where they affect listed buildings or do not preserve or enhance conservation areas.
  3. Paragraph 2.4 of PPG15 states that Section 54A does not apply to decisions on applications for listed building consent. However, Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest and to the preservation or enhancement of conservation areas.
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4. Attention has also to be paid to Government policy and guidance – in this case particularly that set out in PPG15 paragraphs 3.12 to 14, C.27 and C.34.

#### Main Issues

5. Having regard to the above and from my consideration of all the written representations and my findings on inspection I have concluded that there is but one main issue in regard to each appeal. In regard to Appeal A the issue is whether the works would unacceptably disrupt the form and appearance of the original building. In regard to Appeal B the issue is whether the works would unacceptably detract from the character or appearance of the surrounding conservation area.

#### Reasons

6. In respect of Appeal A inspection showed that the existing dormer window is clearly seen as a modern addition which is readily apparent from a large part of Beaufort Gardens. However, while this dormer affects the appearance of the listed building it does not conceal the form of the original roof because the profile of this can be seen at either side – a factor which enables the height of the ridge to be seen as coincidental with the height of the dormer. In comparison it seems to me that while the proposed changes may provide an aesthetically more pleasing composition it would nevertheless completely conceal the form of the original roof when viewed from Beaufort Gardens. This would not only visually alter the overall form and appearance of the rear of No. 20, harming its special architectural and historic interest; it would also provide an out-of-place roof form that would seriously detract from the character of the listed terrace as a whole. As a result I have determined that Appeal A should fail.
7. In respect of Appeal B because I have found that the proposal would seriously detract from the character of the listed terrace it follows that it would also detract from the character and appearance of the surrounding conservation area – of which it would form part. I have therefore also determined that Appeal B should not succeed.

#### Conclusions

8. For the reasons given above, and having regard to all other matters raised, I conclude that these appeals should be dismissed.

#### Formal Decision

9. In exercise of the powers transferred to me, I hereby dismiss these appeals.

#### Information

10. A separate note is attached setting out the circumstances in which the validity of these decisions may be challenged by making an application to the High Court within 6 weeks from the date of these decisions.

  
INSPECTOR

STATEMENT DUE 1/10

APPEAL

TO: BC

FROM: PA/HD

DATE RECEIVED: 14.8.01

EXTN: 2081

APPEAL CASE OFFICER: <u>JW</u>	APPEAL ADMIN OFFICER: <u>BB</u>
OUR REF: <u>PP/01/00997</u>	DETR REF: <u>A701/1071506</u>

ADDRESS: 20 Walton Street,  
SW3

REASON FOR APPEAL: Refusal

THE APPEAL WILL BE DETERMINED BY WAY OF:

WRITTEN REPRESENTATIONS

INFORMAL HEARING

PUBLIC INQUIRY

START DATE OF APPEAL:	<u>20.8.01</u>
3 <sup>RD</sup> PARTY LETTERS DUE:	<u>3.9.01</u> SENT: <u>29/8/01</u>
QUESTIONNAIRE DUE:	<u>3.9.01</u> SENT: <u>30/8/01</u>
RULE 6/8 DUE:	SENT: _____
STATEMENT DUE/DATE OF PROOF EXCHANGE:	<u>1/10</u> SENT: _____