

ROYAL BOROUGH  
OF  
KENSINGTON & CHELSEA

DOCUMENT SEPARATOR

DOCUMENT TYPE:

OTHER



\*OTH\*

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**Statement of case in an appeal by Mr T Groell against  
the decision by the Royal Borough of Kensington and  
Chelsea to refuse planning permission for the  
provision of a roof extension with glazed sides on  
existing roof terrace at 25 Campden Hill Gardens,  
London**

**Planning Inspectorate Reference: APP/K5600/A/02/1088983**

**Local Planning Authority Reference: PP02/00364**

1.0 **Description of the site and surroundings**

- 1.1 The property is located at the northern end of the Kensington Conservation Area, and forms the end building of a terrace which occupies an unusual position in street scene terms. The road that flanks the terrace to the east

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was widened from a former track and path to form Campden Hill Road in about the 1860s, following which a series of terraces were laid out in the area along the new road layout together with a new church (St. Georges, now a listed building). However, the east side of Campden Hill Gardens is unusual in that it occupies virtually all of what became a narrow strip of land between the residential street to its west and the much busier Campden Hill Road to its east, with the properties thus having a double road frontage and in the case of the buildings that terminate the terrace at the northern and southern end a triple road frontage where they flank Uxbridge Street and Aubrey Walk respectively.

- 1.2 The buildings along the east side of Campden Hill Gardens are substantial properties of stucco on the lower floor and buff stock bricks above. The principal elevations are to the west, where they are double fronted with bays rising through the lower two floors surmounted generally by balustrading, and with a variety of roof dormers providing a fourth floor of accommodation. The end unit, no 25, which has been divided into flats has a strong architectural treatment for its south elevation facing onto Aubrey Walk, with a mansard roof set between two vertical gable walls, of which the southern end is surmounted by a sweeping pediment breached in the centre by an almost complete circular void. Behind this wall there has been formed a roof terrace set down below the level of the sides of the mansard.
- 1.3 Opposite the appeal site on the south side of Aubrey Walk is a vacant site created by the demolition of Water Tower House, and due to be redeveloped by the construction of a substantially higher building occupying the corner of Campden Hill Road and Aubrey Walk. Further reference will be made to this in due course.
- 1.4 The appeal proposal involves roofing over part of the terrace with a glazed structure to provide a more useful sitting out area and also to offset the loss of privacy which will occur when the building opposite is completed.

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1.5 Photographs of the building and its setting are included within **Appendix 1**.

2.0 **Planning Policy Considerations**

2.1 Government guidance in relation to the topics we are concerned about is now to be found in the series of Planning Policy Guidance Notes, and in particular PPG1 and PPG15. PPG1 sets out the general principles and policies, including as part of the key objectives the need to conserve our cultural heritage (note the use of the word "conserve" rather than "preserve").

2.2 PPG 1 was reissued in a further revised form in February 1997 and sets out the Government's approach to planning with a set of key policy objectives. Building on the policy expressions of the previous five years, it confirms the sustainability approach, wherein the nation's needs for development have to respect environmental objectives. The framework adopted is expected to conserve the cultural and natural heritage with particular care to safeguard designations of national and international importance. The PPG explains the purpose of the new plan-led system of development control wherein an application for planning permission should be determined in accordance with relevant policies in an up-to-date approved development plan except where other material considerations indicate that a departure from those policy provisions should be made. There is also the advice that in making decisions, regard should be had to whether the proposed development would cause demonstrable harm to interests of acknowledged importance. It also gives guidance on the weight to be given to policies in emerging plans, whether at strategic or local level. Finally, it includes specific advice on design that was formerly contained in an Annex to the PPG. It points out that good design should be the aim of all those involved in the development process, and that applicants should be able to demonstrate that they have taken account of the need for good design in

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formulating their proposals. In considering the relevance of the policies in any plan, regard must be had not just to those aspects with which the decision-maker feels there may be a conflict, but also those areas where there may be support for a proposal. The strategic and integrated nature of a document such as the UDP means that the decision-maker is not entitled to trawl through its many policies in order to identify one policy or perhaps one limb of one policy with which there is alleged to be a conflict, and then indicate that as a result of that alleged conflict, the proposal must be deemed unacceptable. The process of "cherry-picking" a plan in this way runs counter to the advice in PPG1 which states that there may be cases where different policies pull in different directions, and where they do, they may have the effect of cancelling each other out. In looking at the plan policies therefore, we have to be aware not just of the environmental policies but also other aspects of the strategy that may be relevant.

- 2.3 PPG 15 has now replaced Circular 8/87 as the prime source of Government advice on Listed Buildings and Conservation Areas. The site does not contain a listed building, but it does lie within a Conservation Area. The following advice from the PPG may usefully be noted:

*4.1 "Section 69 of the Act imposes a duty on local planning authorities to designate as conservation areas and "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance".....Designation...provides the basis for policies designed to preserve or enhance all the aspects of character or appearance that define an area's special interest"*

*4.2. "There has been increasing recognition in recent years that our experience of a historic area depends on much more than the quality of individual buildings - on the historic layout of property boundaries and thoroughfares; on a particular 'mix' of uses; on characteristic materials; on appropriate scaling and detailing of contemporary buildings;....on vistas along streets and between buildings; and on the*

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*extent to which traffic intrudes and limits pedestrian use of spaces between buildings. Conservation area designation should be seen as the means of recognising the importance of all these factors and of ensuring that conservation policy addresses the quality of townscape in its broadest sense as well as the protection of individual buildings”.*

*4.4 “The definition of an area’s special character should derive from an assessment of the elements that contribute to (or detract from) it. Conservation areas vary greatly, but certain aspects will always form the basis for a coherent assessment: the topography - for example thoroughfare and property boundaries - and its historical development; the archaeological significance and potential; the prevalent building materials; the character and hierarchy of spaces; the quality and relationship of buildings in the area and also of trees and other green features.....”*

*“4.14 Section 72 of the Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. ....”*

*“4.19 The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on the ground of some other public interest.”*

*“4.20 As to the precise interpretation of ‘preserve or enhance’, the Courts have held (South Lakeland DC v Secretary of State for the*

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*Environment, [1992] 2 WLR 204) that there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve. Whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed."*

## 2.4 **The Borough Unitary Development Plan**

2.4.1 This was adopted in August 1995 and while there is currently a review under way, with Proposed Modifications published, the adopted plan remains the statutory policy basis for the purposes of Section 54A of the Act. However, the Proposed Modifications referred to in the decision notice are the result of the Public Local Inquiry into the UDP Alterations and the Inspector's report into that PLI and so they will carry significant weight as a material consideration in determining applications to which they apply.

2.4.2 The Council have identified eight policies in their reason for refusal, of which one is not within the adopted UDP in any form, this being the new policy CD44a from the Proposed Modifications. The refusal reason indeed implies that there are other policies that might be relevant, since it only refers to the eight ones listed as "in particular". In this sense it fails the requirement that the terms of reasons for refusal must be explicit in setting out to the recipient what precisely were the considerations that led to the rejection of the proposal. Suggesting that there may well be others in addition to the eight referred to is far from helpful, especially when the rest of the refusal wording lumps together a wide range of possible concerns - location, bulk, design, height and materials - for what is a very modest proposal designed by an architect to address the specific issues that the site

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was thought likely to raise. In effect what we find in the case of some of the policies is an acute attention to the minutest of design details by the Council that appear aimed at stifling any ingenuity in the architectural process and relying on a fear of precedent rather than an objective assessment of what the proposal seeks to do.

2.4.3 The Council have indeed in their questionnaire material included a mass of policy details without any indication as to which ones are intended to be referred to by the Inspector. No doubt they will explain this further in their statement, and it will be necessary to address any additional policy issues in my comments on the submissions that they may make. If there are indeed new policy matters, this may mean that my response will have to be longer than usual to cover all the matters brought up. For example, they provide the text of no less than 38 different strategic policies without any elaboration - not one of these is listed in the reasons for refusal as being relevant. It is simply not good enough to say that they have looked at their entire plan with its hundreds of policies and they have simply for the purposes of the refusal notice picked out a reasonable number but if challenged they will come up with some more.

2.4.4 By contrast to their approach to the strategic policies they have clearly marked the policies in the Conservation Chapter that they wish to rely on and it is assumed that no others will now be raised from this chapter.

2.4.5 CD25 is a very general policy that does no more than seek sensitive and compatible development in the Borough. That leaves it to a matter of subjective judgement to a very large extent to establish whether a particular proposal is indeed appropriate in terms of its particular characteristics in its own setting. What does however need to be noted in the context of these general statements of policy is that they work both ways. The Council are claiming that the appeal proposal is unacceptable by virtue of its bulk and height, but they have had no qualms over approving a substantial increase in the height of the redevelopment immediately across the street from the



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south wall of the appeal building, resulting in a significant loss of privacy to the appellant at roof terrace level. Indeed, the text at paragraph 3.20 makes the point that:

*"A common cause of loss of privacy in the Borough is the construction of terraces or balconies above garden level. Where existing levels of privacy are good, development involving new, direct overlooking from a balcony or terrace into an adjoining habitable room window or private garden below should be avoided, especially at first floor level.....Generally, the size, position and angle of view into adjoining properties and gardens will be taken into account, along with the existing levels of privacy".*

There appears to have been no consideration given to these issues in the context of the appeal building's roof terrace, which, as the only outdoor area available to the occupiers of the upper flat should surely have been given at least as great a consideration as a traditional street level garden. Indeed, the whole question of the scale of the new building opposite, when related to what was there before, and the claims now being made about the very modest alterations at the appeal site appear to suggest a duality of approach to the decision-making process that is barely comprehensible. Within a conservation area, more attention is being given to the minutiae of changes while very major new building projects do not appear to be given the same detailed level of scrutiny in terms of such matters as privacy.

2.4.6 The next policy cited is CD38 which can for convenience be taken with CD39 since both deal with roof additions. The curiosity here is that one is a permissive policy and the other is a restrictive one, and it is strictly speaking not possible to fall foul of both. If a proposal fails to come within the permissive terms of CD39, then it may be argued as automatically conflicting with CD38, but the impression being given by the Council in citing so many policies is that there are fundamental breaches of all of them which is far from being the case even in their own understanding of the

issues involved. CD38 seeks to resist additional storeys where a number of criteria apply, but we can set aside most of these from the start. The terrace is not listed and there have been numerous alterations already to its roof form. This part of it has indeed had a mansard roof added to it, but what we are dealing with is not another floor, but merely the covering over of the roof terrace already formed within the arms of the mansard on either side. What the policy was clearly aimed at was a situation where the effective height of a building was being increased by another complete floor, however it was designed, and that is far from being the case here. In terms of the terrace as a whole, we can also look at the Supplementary Planning Guidance that has been prepared for this area in the form of a Conservation Area Proposals Statement. This sets out in map form the areas and individual buildings where different categories of roof alteration may be permitted. Here we find (**•Appendix 2•**) that there are four different categories defined, ranging from no additional storeys through to each application being dealt with on its merits. The map to show the different categories does not copy well in black and white, but it can be noted that 7 of the properties in the terrace are in Category 2, including the appeal site, while the other four, including the two immediately to the north for the appeal site, are in Category 3. All the buildings on the eastern side of Campden Hill Road are however in the most restrictive Category 1, which only allows improvements to existing roof profiles. Category 2 does not allow for additional storeys, but does accept rationalisation, improvement or adaptation of existing roof profiles. The supporting text indicates that existing roof profiles are sufficiently varied for alterations leading to significant improvements to be acceptable. Rather curiously, the wording of the category allows for adaptation of existing roof profiles but the following text says that adaptations which alter the profile of the roof are not acceptable! It is the contention of the appellant that what he is doing is indeed the improvement of the existing roof terrace area set inside the mansard and that the resultant shape of the structure follows the mansard slope and also that of the pediment that surmounts the end wall on the south side. Because the end stop formed by the appeal building is markedly

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different from the rest of the terrace adjoining it is perfectly appropriate to have it treated in this way, especially having regard to the bulk of the new building with which it will be competing directly opposite.

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2.4.7 Next we have CD42 which deals with the erection of conservatories, and is couched in negative terms, seeking to identify a wide range of locations where such structures would normally be resisted. It is of course a matter of judgement as to whether one treats the appeal proposal as a conservatory given that there is no definition provided within the policy or the text of the UDP to define it. The intention of using a large amount of glazing was to produce a light structure in terms of both its loading and also its physical appearance. To transfer it from a modest adaptation of the existing roof profile into a standard conservatory for the purposes of finding policies to throw at it is not considered to be a reasonable approach of the development control decision-making process. Looking at the criteria of the policy, it is evident that most of these would not be applicable to the appeal proposal, especially as it will be our submission that it is of a design and size that is appropriate to the existing building.

2.4.8 The Council then cite CD44 and this is typical of the attempt to find as many policies as possible with which there is alleged to be conflict. If one looks at the intent and the wording of this policy it is perfectly clear that it is aimed at changes that do not come within other detailed policies that have preceded it. Many or all of these are alterations that may not even need planning permission unless there is an Article 4 Direction in place (such as the painting of a building or the replacement of doors and windows). To add this policy into the list of ones that are considered relevant could only be justified if the Council had indeed decided that ones like CD38, 39 and 42 were not applicable. As with the contrast between CD38 and 39, they cannot have it both ways.

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2.4.9 We next come to CD52 which is nothing more than a restatement of the statutory test for all development that takes place in a conservation area. Putting it into a Section 54A policy does not change the weight of that test one iota, and nor does it increase the case against the proposal by seeking to add in one more Section 54A policy.

2.4.10 Finally we have CD53 which is another general one seeking a high standard of design in conservation areas and also compatibility with a list of development control aspects of surrounding development. It needs to be stressed that there is a lot of difference between compatibility and strict conformity, and indeed this policy does appear to provide a reasonable amount of flexibility for innovation in the design approach. It can only have been this distinction between following very closely all the characteristics of the neighbouring development (a fairly sterile approach to design matters even in a conservation area) and seeking an acceptable form of development and redevelopment even if it is radically different to what was there on the site before and what is in the immediate neighbourhood. That is especially the case where what existed before on the site was not of the higher levels of architectural and street-scape quality. It also applies to smaller proposals where what exists is perhaps itself unusual in design terms, as could be argued to be the case with the roof terrace set inside a mansard, and as with the roof alterations categories already referred to, changes in the profile may become more acceptable in such circumstances.

2.4.11 As far as the Proposed Modifications for the Alterations to the UDP are concerned, many of these changes are minor ones of drafting compared to the adopted plan, although in the case of the conservatory policy several of the criteria have been removed. However, the change that has been proposed to CD52 is quite extraordinary in that it replaces the statutory test of preserving or enhancing the character or appearance of the area with the words preserving and enhancing. It is far from clear as to whether this is a change that has been endorsed or suggested by the Inspector but it is a legal nonsense. I have lost count of the number of occasions in local plan

inquiries where the Council have had to accept that they had got the wording wrong by using the word "and" in this way, as it is simply not a sensible nor the correct legal test. Indeed, the two aspects of preserving and enhancing are two entirely different things as has been clearly set out in the case-law already cited. It is in most cases improbable that a proposal could indeed both preserve and enhance, as opposed to preserving or enhancing, simply because the two things result in quite different conclusions. What the new wording appears to require, quite wrongly as a matter of law, is that anything that does not enhance the conservation area, no matter how trivial a development, and even if it is not even visible from any public place, will fail this new policy test. I have no hesitation in asking the Inspector to treat this Proposed Change with the greatest degree of suspicion as it is fatally flawed.

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2.4.12 This leaves us with the extra policy CD44a which is not in the adopted plan. This deals with "unsympathetic small-scale developments" which not only cause harm but would also cumulatively be detrimental to the character of the area. The problem for the Council is that given the nature of the terrace of houses, it is improbable that the appeal proposal could be repeated along this street, and thus the concerns that similar proposals might cause a cumulative effect on character is not at all well-founded. This new policy therefore does not add anything at all to what is to be found in other policies already examined.

2.4.13 Overall, it therefore has to be concluded that the impression of a whole raft of serious policy issues can be whittled down to a small number of specific and largely subjective judgements as to what the actual effect of this proposal would be on the building and on the street scene in conservation area terms. There is no realistic claim that there would be a precedent set and the almost unique circumstances of the case warrant its being treated on its specific merits rather than being addressed on the basis of very generalised policy aims and objectives that seek to provide almost blanket

bans against certain types of what are very minor developments on residential properties.

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3.0 **The appellant's case for an approval**

3.1 The aim of the preceding section of the statement has been to analyse the policy issues that have been indicated as relevant by the Council. In doing so, it is submitted that the proposal does not fall readily into the various categories of alteration to a dwelling that the Council have sought to pigeon-hole it into - resulting in a belt and braces approach whereby they have identified a range of alternative policy scenarios that they think might fit it. Our position is that this is a very unusual scheme, designed to fit the particular circumstances of this small roof terrace, and which would not materially harm the aims and objectives of conservation area policy. I therefore propose to summarise the issues that are considered to be the key ones from the appellant's perspective. These are:

- a) The effect of the proposal on the character of the building
- b) The effect of the proposal on the amenities of other residents in the area
- c) The effect of the proposal on the street scene generally and in conservation area terms
- d) The reasons for the proposal being prepared and pursued through to appeal

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3.2 **The character of the building**

3.2.1 This is an attractive row of substantial Victorian buildings, but not of such outstanding quality in architectural terms that they have warranted listing up until now. The fact that they have roads surrounding the terrace has inevitably affected the degree to which they can be altered since the normal permitted development allowances for, as an example, rear extensions do not apply here. Nevertheless, there have been significant alterations over the last 130 years at roof level, and this is reflected in the fact that the Council do not place all the buildings into the same category when they have considered the options for roof extensions. There is also the relative position of the appeal building to be considered. Due to the fact that it was used as a means of turning the corner, it is the only one of the terrace that faces south, and thus it is quite different in design and orientation to its neighbours, although the roof line reflects those to the north even if the gable is treated quite differently. The photomontages have been taken from vantage points that are not available to the general public (**•Appendix 3•**) and from street level the visual effect on the roof-scape is very restrained. What can be seen from below as illustrated in the photographs contained in **•Appendix 1•** is a variety of features including inset windows within the mansard slope, the white painted rendered walls containing the mansard at either end, a collection of chimneys with multiple pots surmounting them, and various rooflights, skylights and vents within the slope of the mansard. That degree of visual clutter also applies to the roof terrace itself when viewed from positions higher up, as for example in photo 6 where the low structures within the rear of the roof terrace are clearly visible, as are such features as the very large satellite dish on the roof of the house immediately to the north. A comparison between the photo 6 and the photomontage on which it is based does not suggest that the character of the building is being compromised, and from street level and neighbouring properties there is far less of a view capable of being obtained of the proposed structure. Overall, it is submitted that the proposal has a fairly neutral effect on the character of the building.

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3.3 **The amenities of residents**

3.3.1 As far as can be judged, this is not a proposal that has elicited claims from other residents that it will adversely affect their amenities, and give the location and size of the proposed structure that is perhaps hardly surprising. Since the building is already in use as a roof terrace there are no added privacy issues that could arise in any event.

3.4 **The street scene generally and the conservation area**

3.4.1 The fact that the structure is sited where it is and with the height that it will have means that its ability to be seen in a wider street scene context is inevitably limited. The most obvious position would probably be from a viewpoint along Kensington Place where the side of the property is facing into that street and the structure would be seen sideways on, but running behind and lower than the large chimney in the foreground of photo 3. It is very much a matter of subjective judgement as to how one perceives the structure in this and other contexts around the streets that surround the terrace as a whole, but it also needs to be borne in mind that the new structure about to be erected immediately opposite the appeal site is substantially higher than the appeal building and thus will provide a focus of attention in all the views that will include it. The fact remains that the appeal structure is set back from both ends of the property, by over 1m in the case of the south pediment, and is only marginally higher than the top of that feature in absolute terms. The angle of vision from below means that, whether from the sides or the front, the viewer has to move some distance away from the building before any part of the appeal structure could come into view. The lack of any significant garden or yards areas on either side of the terrace of houses in which the property is situated also diminishes the extent to which the proposal can be viewed, because pedestrians on the near side of the road to the east and west of the terrace are much closer underneath the buildings themselves. Again in an overall



context, the changes to the roof profile are very minor in the public viewing context, and generally seen as part of a fairly cluttered roof-scape anyway, such that the proposal, would not conflict with the statutory test as defined in the Listed Buildings Act (as opposed to the new test that the Council have apparently defined for themselves in their Proposed Modifications).

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3.5 **The appellant's amenity issues.**

3.5.1 The roof terrace as it currently stands is the only private sitting out area available to the appellant. It may not enjoy total privacy at present, but it has a high degree of it such that it is regarded as a fundamental element of the amenities enjoyed by the property. The new development that the Council have seen fit to approve directly opposite will have a very serious effect on that privacy and amenity. The plans of the previous building and the approved redevelopment provided (**•Appendix 4•**) make this very clear. The previous Water Tower House had a roofline that was exactly the same as the top of the pediment of the appeal building, and so the roof terrace was actually above the highest window levels in that building. By contrast, the new scheme has not just exceeded the original height by some distance (over 3m taller) but it has balconies whose base is at a height above the pediment top of the appeal building. This will expose the roof terrace to a significant loss of privacy and it is for that reason alone that the need to consider the future use of the terrace would have been fully justified. It has never been explained why the issue of privacy across a gap of just 17m between the main walls of the two buildings was not addressed when the application for the new development was being considered. However, in terms of the difference in impact between the redevelopment with its substantial increase in height, and the appeal proposal for a modest infilling of a roof terrace with a roof profile reflecting that of the existing structure, the planning logic behind the two decisions is far from clear.

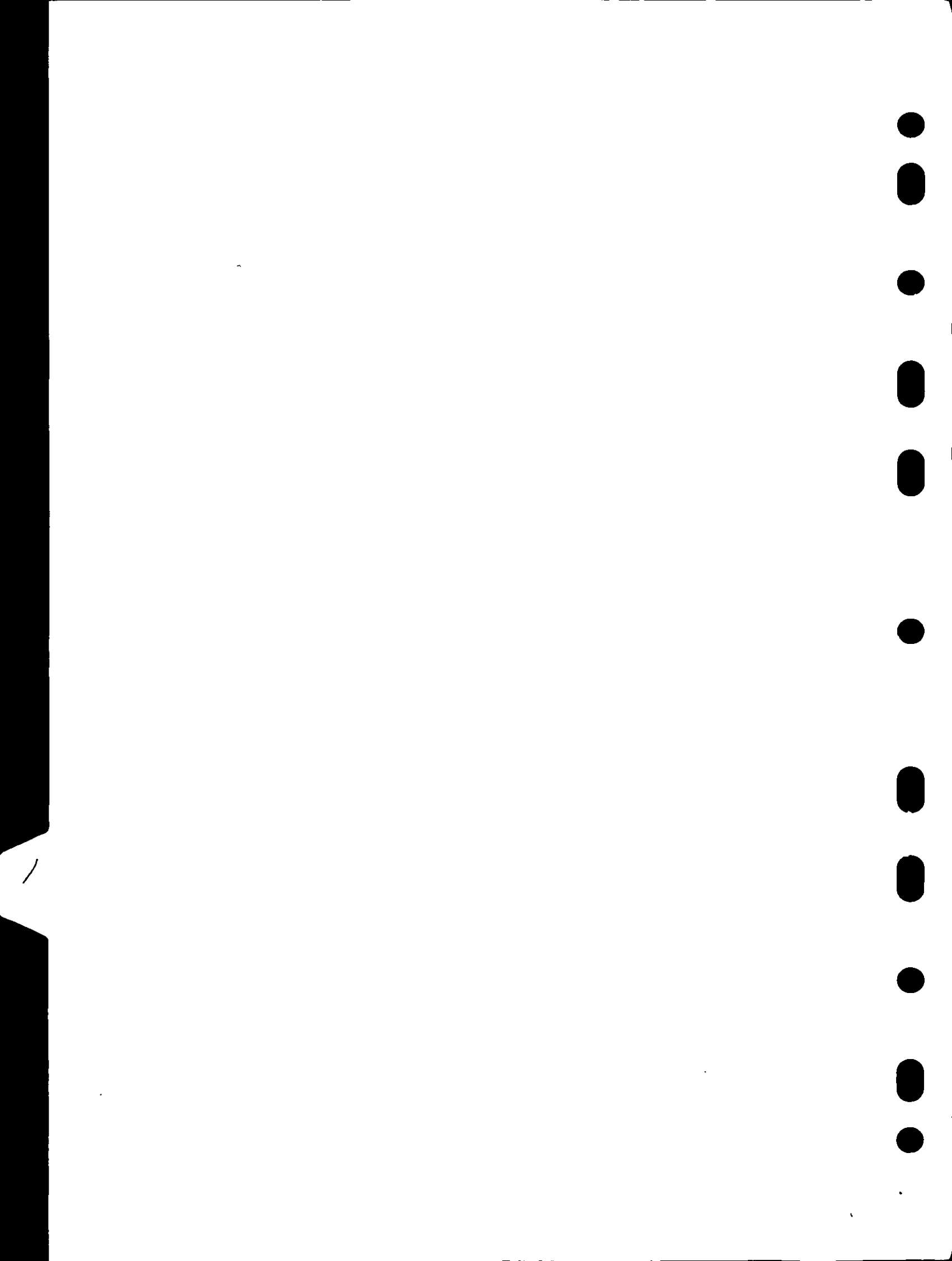
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4.0

**Conclusions**

4.1

In setting out the case for an approval, it is submitted that the effects on the building's appearance and character are very limited and certainly not such as to warrant a claim that the character of the building has been eroded to any significant and important extent from the planning viewpoint. The effects on the conservation area are also very limited such that the appearance and character of the area are being preserved. There are no identifiable effects on the amenities of any other residents in the area, and the appellant considers that his proposal to improve the usability of the roof terrace in the light of the intrusion into his privacy that will result from the new development permitted opposite fully justified the proposal against any peripheral policy conflicts that the Council may seek to advance. There is no precedent risk here given the location and form of the building, and the Inspector is accordingly requested to allow this appeal.





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FROM THE SOUTH

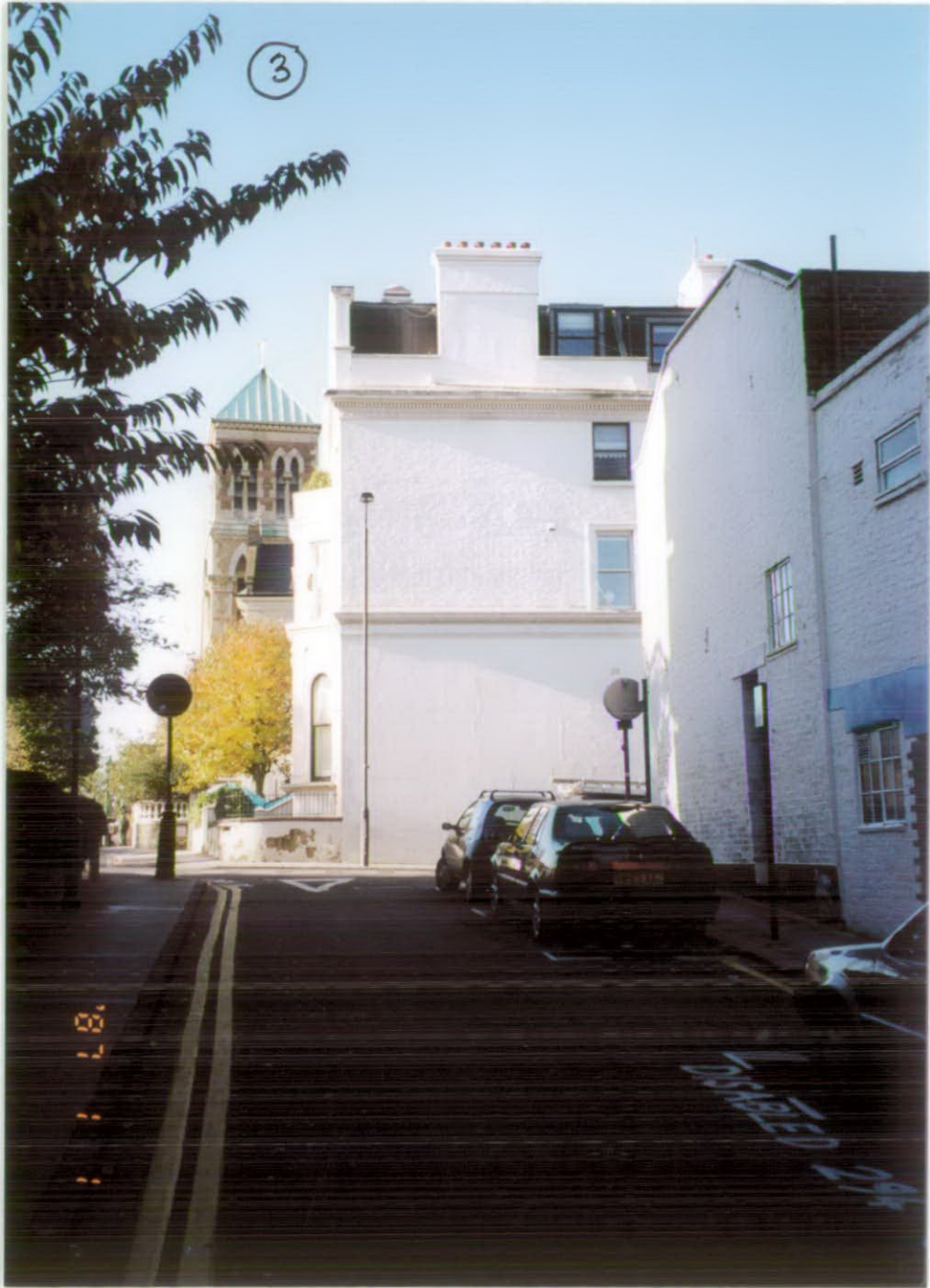
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FROM THE NORTH EAST



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FROM THE EAST

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FROM THE NORTH WEST



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FROM THE SOUTH WEST



FROM THE SOUTH EAST



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ROOF TERRACE LOOKING SOUTH

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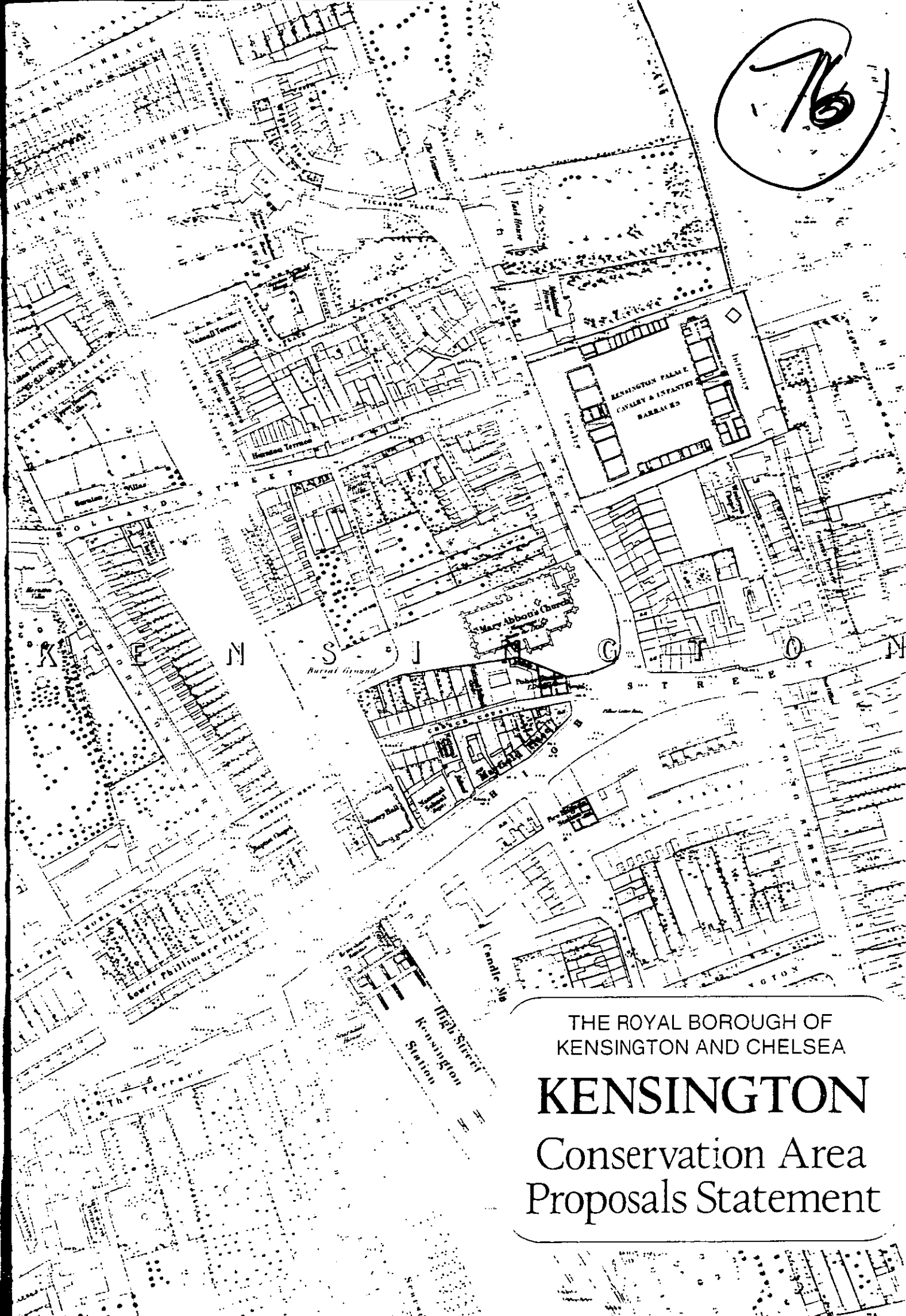


ROOF TERRACE LOOKING NORTH





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THE ROYAL BOROUGH OF  
KENSINGTON AND CHELSEA

# KENSINGTON

## Conservation Area Proposals Statement



ADDITIONAL STOREYS IN KENSINGTON CONSERVATION AREA, THE COUNCIL WILL HAVE REGARD TO THE PROVISIONS OF THE UNITARY DEVELOPMENT PLAN AND TO THE CATEGORIES SET OUT BELOW AS APPLIED TO THE BUILDINGS IN THE CONSERVATION AREA BY THE PROPOSALS MAP ACCOMPANYING THIS STATEMENT.

General note: these categories cover the appropriateness of roof alterations to buildings in the Conservation Area. They are not primarily concerned with enhancement, restoration or repair.

**CATEGORY 1 No additional storeys: improvements only to existing roof profiles**

Buildings in this category possess rooflines, generally original, which are an important element in the character and appearance of the Conservation Area and which therefore require to be protected from alteration. This does not rule out appropriate minor improvements, such as the restoration of original features (for example, the original pattern of glazing bars in dormer windows or the original roof covering) or the rationalisation of incidental elements such as pipework and water tanks.

**CATEGORY 2 No additional storeys: rationalisation, improvement or adaptation of existing roof profiles**

This category covers properties where additional storeys would be inappropriate but where existing top floors are sufficiently varied for alterations leading to significant improvements to be contemplated. This might mean the removal of whole storeys, dormers, skylights or roof terraces added to the original design or their improvement. It also allows for the adaptation of

existing roof spaces with skylights or dormers of appropriate design in suitable locations. Adaptations which alter the profile of the roof are not acceptable under this category and will be treated as additional storeys by the Council.

**CATEGORY 3 Additional storeys might be acceptable**

Additional storeys might be acceptable for properties in this category, to be judged on their merits within the constraints of the Council's usual restrictive policies, especially as to design details. Buildings in this category are generally found where the uniformity of roofline has been lost and the character of a terrace or group has been compromised by a variety of roof extensions. Carefully-designed roof additions to remaining properties may help reunite the terrace or group.

**CATEGORY 4 Each application will be dealt with on its merits**

All the buildings in this category are individual and defy general policy, or represent minor structures to which the other three categories do not necessarily apply. There is a presumption against change; proposals for roof additions will be acceptable in principle and in detail only if the Council is satisfied that they will preserve or enhance the character and appearance of the Conservation Area.

**Rear Extensions, Conservatories and Roof Terraces**

The Area is particularly sensitive to the impact of rear extensions, conservatories and roof terraces because the potential reduction in garden space and the loss of residential amenity through overlooking would conflict with its essential res-

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*Front and rear gardens make a significant contribution to the character and appearance of the Area (far left)*

*Many elements come together to create the Area's distinctive residential character (left)*



ROOF ALTERATIONS (pp38-39)

- Category 1
- Category 2 **SITE**
- Category 3
- Everything else is Category 4

Views and Vistas (p45)

ENHANCEMENTS (pp46-52)

- Property Enhancements-Buildings
- Property Enhancements-Curtileges
- Environmental Improvements
- Conservation Area Boundary



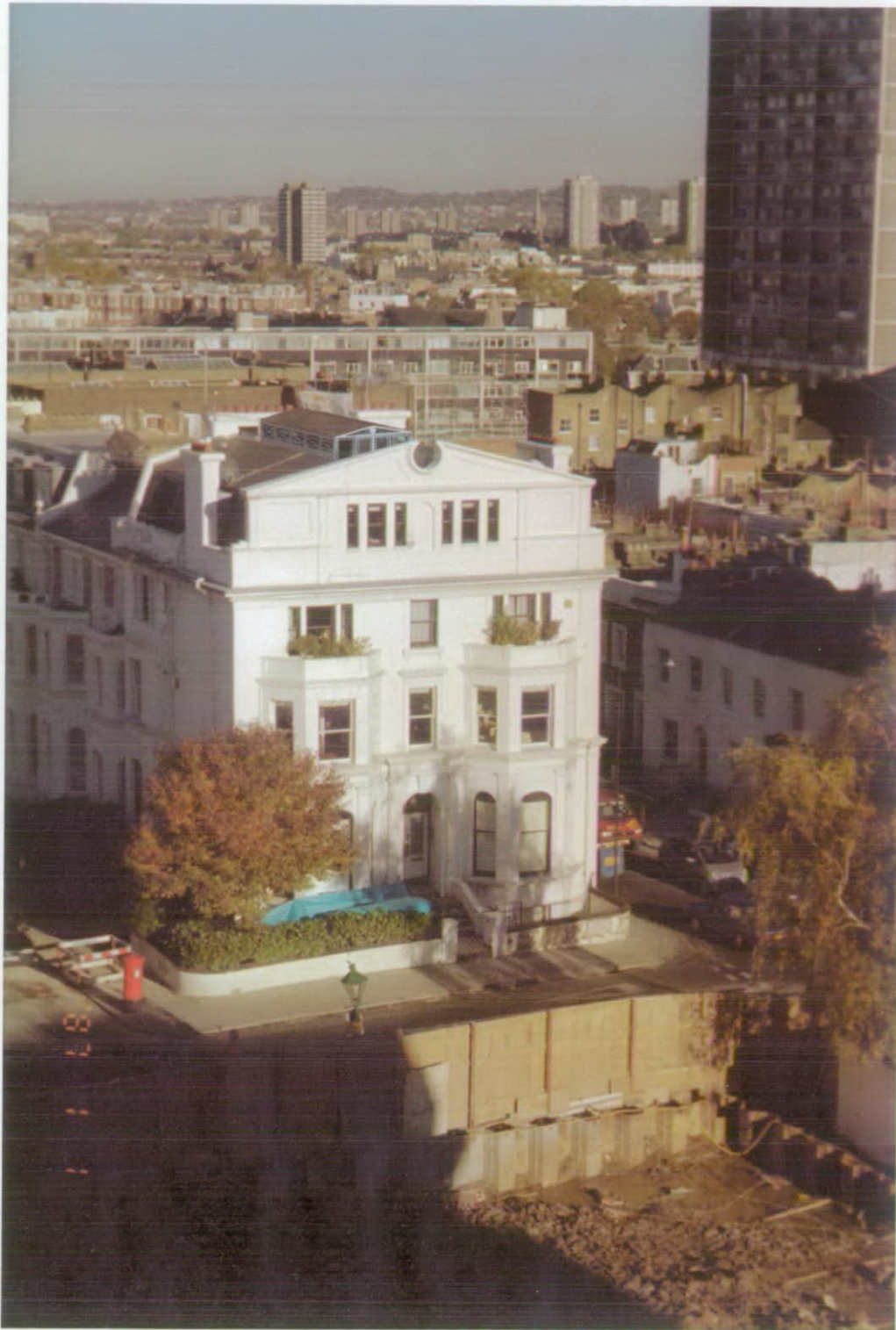
THE ROYAL BOROUGH OF  
KENSINGTON AND CHELSEA  
**KENSINGTON**  
Conservation Area  
Proposals Statement







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PROPOSED FROM SOUTH WEST

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PROPOSED FROM SOUTH EAST

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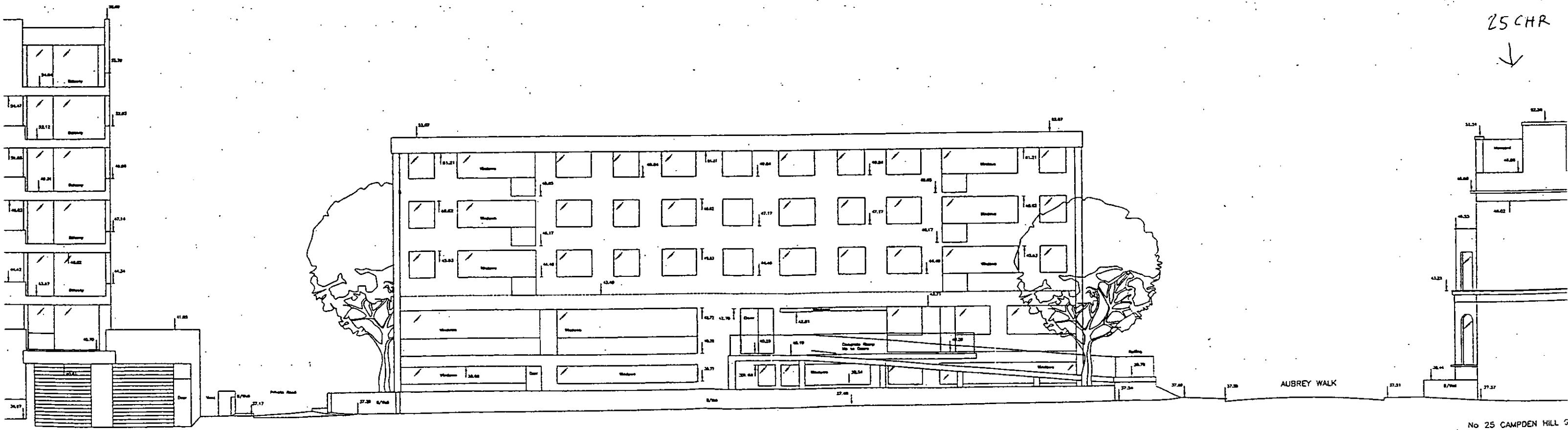


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KENSINGTON  
HEIGHTS



25 CHR



Entrance To Basement  
Car Park

WATER TOWER HOUSE

No 25 CAMPDEN HILL 5

HEIGHTS

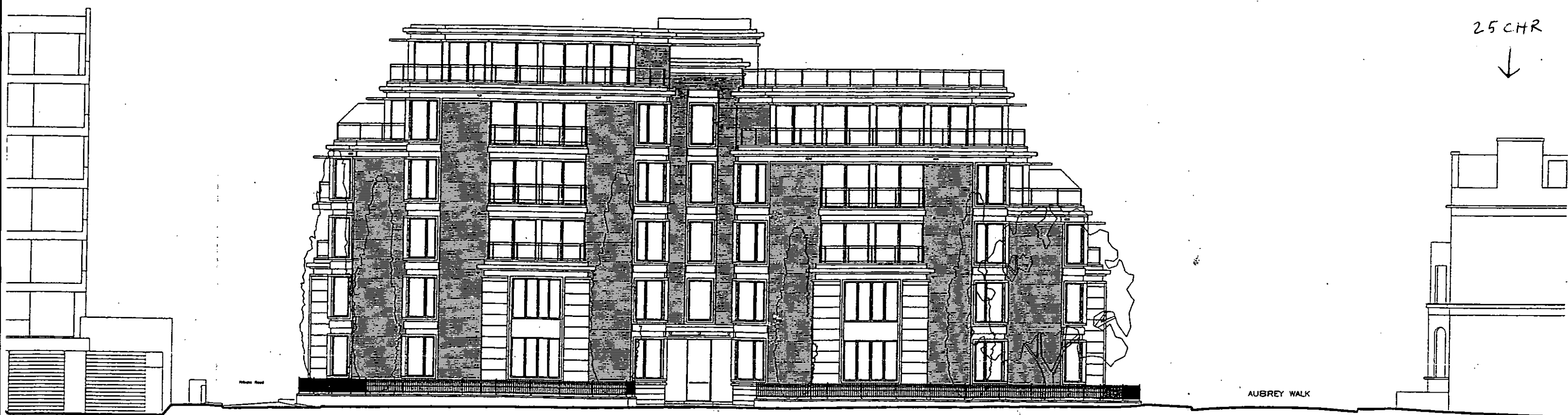
CAMPDEN HILL ROAD ELEVATION

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KENSINGTON  
HEIGHTS



25 CHR



AUBREY WALK

ROYAL BOROUGH OF KENSINGTON AND CHICHESTER  
CITY ENGINEER  
1911

SUBJECT-SITE 25 Campden Hill G.

PP/02/364.  
FILE REFERENCE:

R.B.K. & C. Planning Service.

# NOTES OF MEETING

DATE: 27/3

NAMES OF PERSONS ATTENDING:

P. Price.

(75)

OFFICERS:

SG.

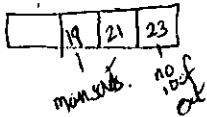
MATTERS DISCUSSED:

From street.

Proposed rear ext. would be clearly visible from Campden H Rd - building at top of hill, very prominent.

Roof already higher than n'bars

tena @



+ probably glimpse from C. H. Gchrs.

From top can see down Campden Hill Rd, Aubrey Walk,  
+ Kensington Place.

very visible

Advised unacceptable - principle + materials.

Decision 2 weeks.

Will send copy of report.

LITERATURE: POLICY, PAPERS, ETC.

SIGNATURES:



# 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

89  
86

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

Your Ref: PP02/00364  
Our Ref: APP/K5600/A/02/1088983  
Date: 10 June 2002

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990  
APPEAL BY MR T GROELL  
SITE AT 25 CAMPDEN HILL GDNS, LONDON, W8 7AX**

I enclose a copy of the appellants statement relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter.

**You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.**

Comments submitted after the 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

Mr Dave Shorland  
211AL(BPR)

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		11 JUN 2002			PLANNING	
N	Q	BW	PR	APP	IO	REC
		ARR		EPN	DES	FEEs

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# The Planning Inspectorate

SG  
87

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

Direct Line 0117-3728099  
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Ms R Gill (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP02/00364  
Our Ref: APP/K5600/A/02/1088983  
Date: 13 August 2002

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990  
APPEAL BY MR T GROELL  
SITE AT 25 CAMPDEN HILL GDNS, LONDON, W8 7AX**

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

Mr Simon Gibbs MA (Cantab) MSocSc MRTPI

The Inspector will visit the appeal site at 11:00 on Tuesday 3 September 2002. 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 appeal 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 letter is likely to be significantly delayed, we will let you know.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.	14 AUG 2002					PLANNING
K.C.						
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEE

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Yours faithfully

*N. Nash*

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Mrs Nesta Nash

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

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25 CAMPDEN HILL GARDENS - VIEW ON ROOF TERRACE  
EXISTING FACING SOUTH

PP020364

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.F K	18 FEB 2002				PLANNING	
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	ARB	FPLN	DES	FEES		



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25 CAMPDEN HILL GARDENS - VIEW ON ROOF TERRACE  
EXISTING FACING NORTH

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	18 FEB 2002			PLANNING		
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEE



25 CAMPDEN HILL GARDENS, W<sup>B</sup>

DELEGATED  
- 8 APR 2002  
REFUSAL



PROPOSED FROM SOUTH - WEST

PP020364

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DELEGATED  
- 8 APR 2002  
REFUSAL



PROPOSED FROM SOUTH-EAST.

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R.B K	18 FEB 2002				PLANNING	
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Barhale

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25, Campden  
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PP 20322

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PP 4436A

25, Campden  
Hill Gdns

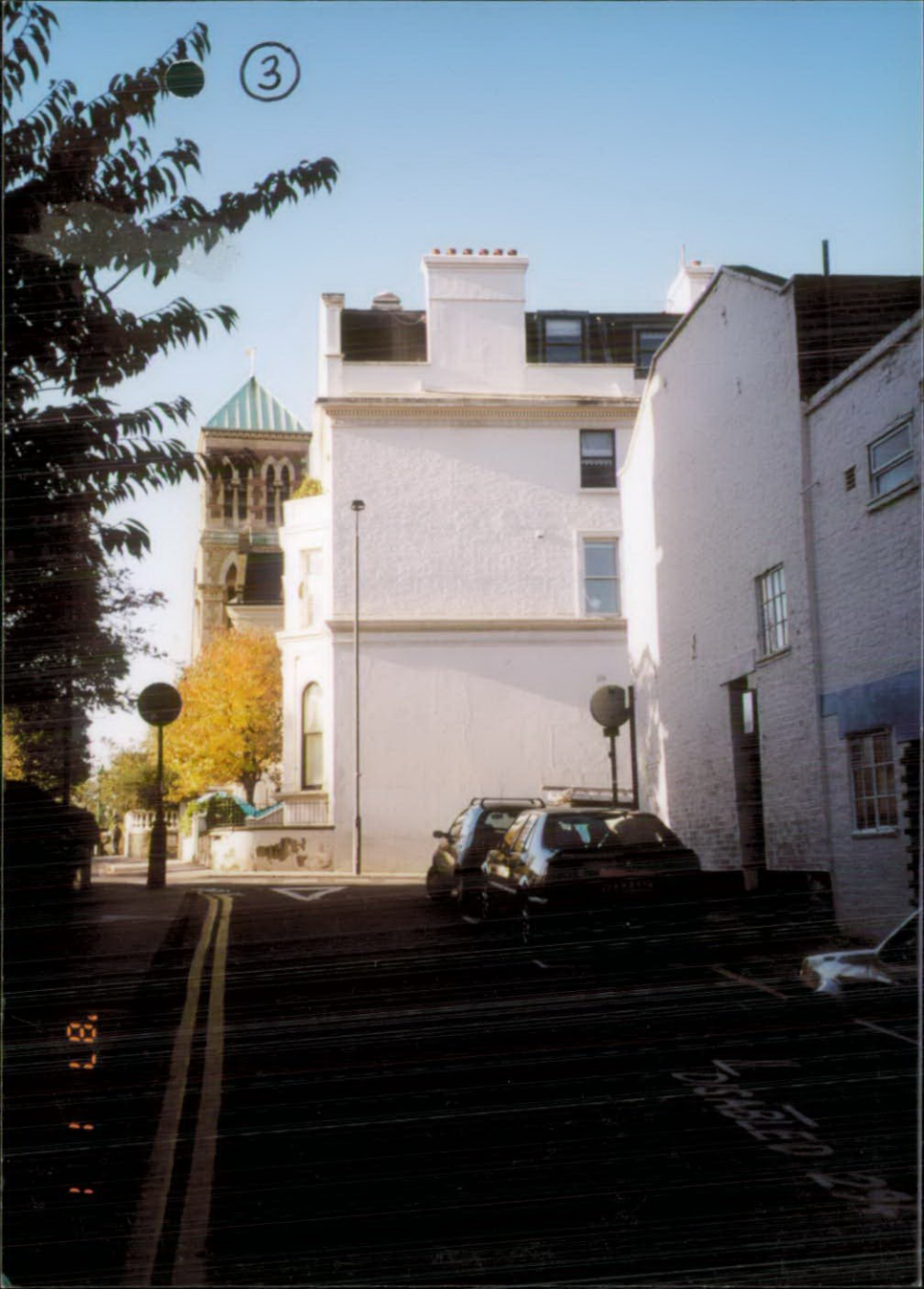
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25, Campden

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25, Campden Hall  
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PP 2236A

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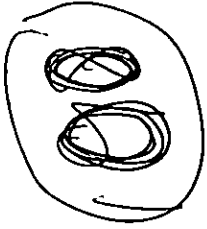
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PP 12036A

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