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# Appeal Decision

Site visit made on 24 June 2013

**by N McGurk BSc(Hons) MCD MBA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 1 July 2013**

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**Appeal Ref: APP/K5600/D/13/2197887**  
**43 Hillgate Place, LONDON, W8 7SS**

- 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 Mr Fayad Ayoub against the decision of Royal Borough of Kensington and Chelsea.
  - The application Ref PP/13/01067 was refused by notice dated 17 April 2013.
  - The development proposed is described as "retention of work to the front elevation to include installation of architraves around the three principal windows and incorporation of pot guards; instatement of an architrave around the main entrance of the property; rendering of the external ground floor wall; alterations to the steps and railings to the property to provide York stone paving and new pointed gloss black iron railings and the repainting of the front elevation in a light 'heritage' pastel green in substitution of the former orange painted walls."
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## Decision

1. The appeal is allowed and planning permission is granted for retention of works to the front elevation to include installation of architraves around the three principal windows and incorporation of pot guards; instatement of an architrave around the main entrance of the property; rendering of the external ground floor wall; alterations to the steps and railings to the property to provide York stone paving and new pointed gloss black iron railings and the repainting of the front elevation in a light 'heritage' pastel green in substitution of the former orange painted walls at 43 Hillgate Place, London, W8 7SS, subject to the condition that the development shall be carried out in accordance with the approved plans: HLGTP-E101 and HLGTP-E102.

## Procedural Matters

2. The development the subject of this appeal has already been carried out. It is proposed to retain the works detailed in the description above. The appellant submitted a planning application for the above works, which was refused by the Council, further to a planning enforcement investigation.
3. The Council, in its officer's report, states that the pot stands and steps do not require planning permission. It also states that, despite some concerns, the railings and the architraves to the windows and new entrance door at ground floor level would preserve the character and appearance of the Conservation Area and are in accordance with policy. Consequently, this appeal is concerned with the stucco render.

### **Main issue**

4. The main issue in this case is the effect of the development on the character and appearance of the Kensington Conservation Area.

### **Reasons**

5. The appeal property comprises a two storey plus basement, mid-terrace dwelling. It is located on the southern side of Hillgate Place, a residential street within the Kensington Conservation Area, which is characterised in this location by long terraces of similar period two storey properties with basements. The front elevations of houses are painted in various pastel colours, which, together with railings, steps and the retained original features of the houses, provide an attractive combination of uniformity and individual interest to the street.
6. An area of stucco render covers the ground floor elevation of the appeal property. It has been painted the same colour as the rest of the brickwork to the front of the house, a 'heritage' pastel green.
7. I noticed during my site visit that, whilst the majority of the front elevations of properties nearby to the appeal property were faced with brickwork at ground floor level, there were examples of the use of render at ground floor level elsewhere along the street of houses. During my site visit I noted that, rather than appear incongruous or detract from the appearance of the street, these examples of render had the effect of adding to visual interest whilst being so modest as to maintain Hillgate Place's attractive uniformity. I find that the stucco render to the appeal property has been undertaken in an architecturally sympathetic manner and achieves the same effect. I am also mindful in this regard that a number of local residents have written in support of the development.
8. Taking the above into account, I find that the development preserves the character and appearance of the Kensington Conservation Area and complies with UDP<sup>1</sup> policy CD63; Core Strategy<sup>2</sup> policies CL1, CL2, CL3 and CL6; and the Kensington Conservation Area Proposals Statement (1995); which together amongst other things, seek to protect local character and heritage assets.

### **Conditions**

9. I have considered the condition against the advice set out in Circular 11/95. A condition referring to the relevant plans is necessary for the avoidance of doubt and in the interest of proper planning.

### **Conclusion**

10. For the reasons given above, the appeal succeeds.

*N McGurk*

INSPECTOR

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<sup>1</sup> Unitary Development Plan (May 2002).

<sup>2</sup> Royal Borough of Kensington and Chelsea Local Development Framework Core Strategy (December 2010).