

Appeal Decision

Site visit made on 13 September 2016

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 22 September 2016

Appeal Ref: APP/X5990/W/16/3152470

The Manor, Davies Street, London W1K 3DW

- 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 Renslade (The Manor) Limited against the decision of City of Westminster Council.
 - The application Ref 15/04630/FULL, dated 26 May 2015, was refused by notice dated 15 December 2015.
 - The development proposed is the erection of a single storey roof extension to create a three bedroom residential apartment and associated works.
-

Decision

1. The appeal is dismissed.

Main issue

2. The main issue in this appeal is whether the development would preserve or enhance the character or appearance of the Mayfair Conservation Area, within which the site is located.

Reasons

3. It is indicated in the Council's general information leaflet for the Mayfair Conservation Area, dated May 2004, that it is characterised by a grid-iron layout. There is a mix of high quality buildings with high quality terraces forming the essential background character. The appeal concerns a five storey building with a mansard extension providing an additional floor. The building was constructed between 1910 and 1912 in the neo-classical style. At ground floor there are shop units with the three floors above having alternating bow and canted bay windows. At the floor above there are segmental pediments. Metal railings add further interest to the front elevation which is highly symmetrical. The windows in the mansard addition reflect the position of those below and there is a central segmental pediment. There is a conservatory to the side of the mansard extension and roof top plant room. Despite being unsympathetic features their fairly modest scale significantly limits their impact.
 4. The rear of the building faces onto Grosvenor Hill and has an inset and off centre external stairwell with a metal balustrade, as well as metal railings above the roofline. While these are somewhat utilitarian and functional features, the windows are formally arranged and there are rectangular areas of projecting red brick quoins at each end and either side of the stairwell. There is also a
-

wide band of glazed brickwork at street level extending across the elevation, as well as lintels above the windows, which give further interest. In my view it has a reasonably attractive and unified appearance. I do not therefore share the view of the Appellant that the rear elevation is lacking in visual quality and detracts from the Area, despite obviously being secondary to that at the front. Given the attractive detailing and features, as well as the elegance of the front elevation, I consider that the building makes a positive contribution to the architectural quality of the Conservation Area.

5. Although a later addition, the existing mansard caps the building and, in my view, clearly defines its top. This is highlighted by the change in form and materials, as well as the central segmental pediment. The existing upper floor, therefore, in architectural terms completes the composition. However, the proposed extension would rise above this and be set back significantly from the existing mansard, creating a stepped effect. This would result in the existing addition retaining its distinct identity and despite appearing as the 'top' of the building being somewhat awkwardly and surprisingly topped by the proposal, which would therefore be an incongruous and unexpected feature.
6. The discordant impact would be further emphasised by the unsightly failure of several of the windows at the front to align with those below. This would be at odds with the important symmetry of the front facade, which is fairly well respected by the existing addition. Around the light well at the southern end there would be a somewhat awkward juxtaposition of a vertically rising wall up to the top of the extended building fairly near the lower level mansard form of the existing top floor. These factors would reflect the relatively contrived nature of the proposal. At the back the extension would be integrated with the existing mansard. However, given the double row of windows and the resultant vertical extent of slate, contrasting with the brick below, I consider that the resultant roof would appear disproportionately large and top heavy.
7. It is suggested that the contribution of the building to the Area would be improved by cleaning and refurbishing the rear elevation, including the re-pointing of brickwork and the repair of joinery. However, while there is some discolouring at the rear and this would modestly and cosmetically improve the appearance, there is nothing to show that this is dependent on the current scheme being accepted.
8. The extension would use the same architectural language and materials as the existing addition with slate tiles and lead clad dormer projections. However, due to the detrimental effects described above it would unacceptably detract from the architectural quality of the host building. The extension would also affect the overall terrace, which extends to the corner of Grosvenor Street. The other attached Edwardian buildings to the north, given their design features and materials relate harmoniously and cohesively to The Manor, reflecting their origin as part of one overall scheme. Although the roofscape of the attached buildings varies, they are at the same height so that the addition would result in the Manor rising a floor higher. As a result and despite the greater height of other buildings in the locality, this would highlight the inappropriate nature of the addition and detract from the cohesion of the group.
9. The Appellant suggests that there is a precedent for double mansard extensions in Westminster and refers to three specific buildings in the statement. However, I have not been provided with the full details and background to these cases so that I do not know the precise basis for their acceptance and there is

nothing to show that the Council's decision making has been unreasonably inconsistent. In any case, given the generally highly individual nature of building designs in the Area, which also tend to be of varying ages, it seems to me that such proposals should be considered on their own merits anyway. Moreover, none of these instances concern buildings within the host terrace, which provides the specific context in this case. They would not justify accepting a development that would detrimentally affect the host building and terrace in the manner described.

10. The set back nature of the addition would restrict visibility from the public realm to a degree. However, the detrimental presence of the addition would still be apparent in views from Mount Row and Davies Street to the south, as well as from the upper floors of nearby buildings, despite the grey colour of the slates. The adverse effect at the rear would be appreciated from Grosvenor Hill as the building forms a fairly prominent focal point. In any event, the suggestion that acceptability should be conferred on the basis of limited visibility seems to me to represent an implicit acknowledgement of the inappropriate nature of the extension, which concerns a building that forms a significant part of the built fabric of the Area.
11. The immediately adjacent building to the south, Bourdon House, is a grade two star Listed Building. This originated in the 1720s with later alterations including an Edwardian wing. The building is of fairly modest scale in relation to surrounding later development with an attic over three storeys. The significance of the building derives from its age and quality as a standalone block, giving it the character of a villa. It can best be appreciated when looking at the principal facade and southern elevation from Davies Street, looking to the north-east. The Council points out that the building has been the subject of sketches, paintings and photographs since the early 19th century and that this is a view frequently portrayed, with examples submitted.
12. Having carefully considered the effect from the street and the top of the host building at my site visit, as well as the photographs and material provided by the Appellant it is clear that the extension would be visible above the roof of the Listed Building both from the street and the upper floors of adjacent buildings. I consider that because of its incongruous and awkward presence, it would unduly distract from and compete with views of the Listed Building and therefore detract from its setting. This effect would be contrary to City of Westminster Unitary Development Plan (UDP), Adopted January 2007, Policy DES 10 (D), which seeks to prevent such a negative impact.
13. For the above reasons the character and appearance of the Conservation Area would be harmed and not therefore preserved or enhanced. There would be conflict with the overall aim of UDP Policy DES 9 to prevent such a detrimental effect. The proposal would not reflect the high standard of architectural quality sought by UDP Policy DES 1. The unacceptable nature of the extension, above a completed composition with an existing mansard, would be contrary to UDP Policy DES 6 (A) 2) and its unsightly nature at odds with DES 6 (A) 4). There would also be conflict with the aims of Strategic Policies, Adopted November 2013, Policies S25 and S28, which include seeking to conserve heritage assets and incorporate exemplary standards of architecture.
14. In relation to designated heritage assets, Government policy in the National Planning Policy Framework (The Framework) indicates that where there would be harm that is less than substantial, as in this case, it must be weighed against

the public benefits of the proposal. Although less than substantial harm would arise in this case, considerable importance and weight must still be attached to it. This is necessary in order to reflect the statutory duty of paying special consideration to the desirability of preserving or enhancing the character or appearance of Conservation Areas, as well as that in relation to preserving the setting of Listed Buildings.

15. The proposal would create a new dwelling in a location with good access to public transport and necessary services and facilities. However, the benefit to the housing land supply of only a single new dwelling would be fairly modest. This factor, together with the cleaning and refurbishing of the rear elevation, would not outweigh the resultant harm, to which considerable importance and weight is attached. The development would, therefore, also be contrary to the policies of the Framework in respect of heritage assets.
16. The Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. It is made clear in paragraph 7 that sustainable development has economic, environmental and social dimensions, which should not be undertaken in isolation. Despite the fairly modest benefits arising from a single dwelling in an accessible location, in this case there would be detrimental effects in relation to heritage assets and conflict with the relevant policies of the development plan and Framework. Because of the adverse environmental impact, in terms of the Framework the proposal would not comprise sustainable development.
17. At my site visit I assessed the proposal from Apartment 11 within the host building. While there would be some reduction in outlook and light levels, the extent of the impact would be insufficient to justify rejection of the appeal on this basis. The relationship with other residential accommodation both at The Manor and elsewhere would also be such as to prevent any unacceptable impact. I also note that the Council has not objected to the proposal on this basis.
18. Nevertheless, because of the adverse effects that would arise and taking account of all other matters raised, it is determined that the appeal fails. In reaching this decision I have taken account of the views of local residents and other interested parties, including those in favour of the proposal.

M Evans

INSPECTOR