
Appeal Decision

Site visit made on 29 November 2016

by Philip Lewis BA (Hons) MA MRTPI

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

Decision date: 21 December 2016

Appeal Ref: APP/X5990/D/16/3157917

10 Hugh Street, London SW1V 1RP

- 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 Ms Kathy Murphy against the decision of City of Westminster Council.
 - The application Ref 16/04132/FULL, dated 4 May 2016, was refused by notice dated 15 June 2016.
 - The development proposed was originally described as 'internal renovations, single story rear extension, single story extension to existing outrigger, mansard roof extension'.
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Decision

1. The appeal is allowed and planning permission is granted for erection of single storey rear lower ground floor extension with terrace above, extension to rear closet wing, mansard roof extension to main roof level and replacement of windows to rear elevation at 10 Hugh Street, London SW1V 1RP in accordance with the terms of the application, Ref 16/04132/FULL, dated 4 May 2016, subject to the attached schedule of conditions.

Procedural matter

2. I have taken the description of development from the appeal form as it more accurately describes the development than that set out in the application form.

Main Issue

3. The main issue for the appeal is whether the proposal would preserve or enhance the character or appearance of the Pimlico Conservation Area.

Reasons

4. The appeal proposal is situated within the Pimlico Conservation Area which I saw at my site visit has a mixed character, with a predominance of tall terraced properties. 10 Hugh Street is situated within a terrace of three storey dwellings, faced in brick and stucco displaying some uniformity in design. In deciding this appeal I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 5. The principal elements of the appeal proposal are the increase in height of the rear closet wing, a single storey rear lower ground floor extension and terrace
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above, a mansard roof extension and replacement windows. I understand that planning permission has been granted for the above elements except the increase in height of the rear closet wing, which is the primary matter in dispute. I have considered the comments regarding the size of the windows proposed in the mansard roof extension. I consider that the windows proposed are too great in scale and do not reflect the hierarchy of the building. Should I be minded to allow the appeal, this matter however could be addressed by way of a planning condition requiring the submission of details of the windows in the mansard roof extension for approval.

6. I saw at my site visit that the rear closet wing is one of a number of similar structures situated on properties to the rear of the terrace. It is built in brick, with a shallow pitched corrugated metal sheet roof and is of a simple form. I observed that whilst the closet wing of the appeal property is of a similar height to its near neighbours, some other properties on the terrace have taller closet wings. In addition to the closet wing being visible in a number of private views, the rear of the dwelling faces Victoria railway station from where it could be observed by railway passengers.
7. Although the appeal proposal would increase the height of the closet wing above those of its near neighbours, I do not consider that the relatively modest increase in height would give rise to harm to the Conservation Area due to the use of matching materials, the variety in height of closet wings on the terrace and the fact that the proposal would be viewed in the context of other alterations to this secondary elevation of the dwelling. I do not find the closet wing extension to be unacceptable in terms of its location, massing and design nor out of scale with the building or its immediate surroundings. I consider that the appeal proposal would have a neutral effect upon the character and appearance of the Pimlico Conservation Area, thereby preserving it.
8. The appeal proposal does not conflict with Westminster's City Plan (WCP) July 2016 Policy S25 which is concerned with the historic environment, including that Westminster's wider historic environment will be conserved and WCP Policy S28 which is concerned with design. It also does not conflict with the City of Westminster Unitary Development Plan (UDP) 2007 saved Policy DES 1 which is concerned with principles of urban design and conservation, saved UDP Policy DES 5 which is concerned with alterations and extensions and saved UDP Policy DES 9 which is concerned with conservation areas.

Conditions

9. I have imposed conditions regarding timescale and specifying the approved plans to provide certainty. I have also attached conditions regarding the windows in the mansard roof extension and in respect of the submission of details of materials for the external surfaces of the proposed development in order to safeguard the character and appearance of the Conservation Area.

Conclusion

10. For the reasons given above and having considered all matters raised, I conclude that the appeal should be allowed.

Philip Lewis

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.`
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1605-1000; 605-1001; 1605-001; 1605-002; 1605-003; 1605-004; 1605-005; 1605-006; 1605-007; 1605-008; 1605-010; 1605-102; 1605-103; 1605-104; 1605-105; 1605-201; 1605-202 Rev A ; 1605-203 and 1605-204 except in respect of the windows in the mansard roof extension shown on plans 1605-105; 1605-201; 1605-202 Rev A; 1605-203 and 1605-204.
- 3) No development shall take place in respect of the mansard roof extension until details of the size and design of the windows in the mansard roof extension including plans/elevations/drawings at scale 1:50, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.