
Appeal Decision

Site visit made on 12 December 2016

by C L Humphrey BA (Hons) DipTP MRTPI

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

Decision date: 19th January 2017

Appeal Ref: APP/X5990/W/16/3158975
21 Andover Place, London NW6 5ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr Bill Pratt (Naima JPS School) against the decision of the City of Westminster Council.
 - The application Ref 16/07671/ADFULL, dated 10 August 2016, sought approval of details pursuant to condition Nos 3 and 4 of planning permission Ref 15/04397/FULL, granted on 2 December 2015.
 - The application was refused by notice dated 23 August 2016.
 - The development proposed is installation of roof extension to school building to create additional play space and ancillary accommodation with mechanical plant.
 - The details for which approval is sought are described as 'Condition 3 & 4. This discharge application is to amend the external roof and wall cladding material, as approved in decision reference 16/01289/ADFULL of 18 April 2016.'
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Decision

1. The appeal is allowed and the details of external roof and wall cladding material submitted pursuant to condition No 3 attached to planning permission Ref 15/04397/FULL granted on 2 December 2015 in accordance with the application dated 10 August 2016 and the plans submitted with it and listed in the Schedule to this Decision are approved.

Procedural Matters

2. In December 2015 planning permission was granted, subject to a number of conditions, for the installation of a roof extension to a school building on the appeal site. Conditions 3 and 4 of that permission required the submission and approval of samples of facing materials and details of typical windows and rooflights.
 3. The appellant submitted an application (Ref 16/01289/ADFULL) (the 2016 permission) to discharge Conditions 3, 4 and 8. This was subsequently approved in April 2016. However, the appellant now seeks to amend the external roof and wall cladding material which was approved as part of the 2016 permission. The description in the application form refers both to Conditions 3 and 4, but the appellant subsequently clarifies this and states that the application is for an amendment of external roof and wall cladding only. This is a matter which is relevant to Condition 3 only and consequently I shall consider this condition only. Accordingly, I shall not consider the details of windows and rooflights shown on the drawings and approved by the 2016 permission any further in this Decision.
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4. The external roof and wall cladding material approved by the 2016 permission was VM Zinc Plus 'Quartz Zinc' by Umicore Ltd. The application which is the subject of this appeal seeks approval for the use of an alternative material, namely AluPlusZinc by Kalzip. Thus, the sole matter of dispute is whether the alternative material would harm the appearance of the building and surrounding area.

Main Issue

5. The main issue is whether or not the proposed external roof and wall cladding material would be acceptable having regard to the character and appearance of the host building and surrounding area.

Reasons

6. The proposed facing material is aluminium sheet coated with natural zinc. The Council's decision notice states that a zinc cladding material as approved under application 16/01289/ADFULL would be more appropriate, and I note that the Council considers the proposed alternative would be a dilution of the design detail that was previously approved. Particular reference is made in the Council's evidence to the uniform appearance and profile of the proposed material as compared to the varied patina and sharp standing seam of the zinc.
7. However, based on the evidence before me, the proposed facing material is a high quality product similar in profile, colour, tone and texture to zinc sheet and would weather over time to produce a natural patina. The material would complement the host building and would not appear out of place in the street, which features buildings of a wide range of materials, scales and designs.
8. The appeal site is near, although not adjacent to, the Maida Vale Conservation Area (the Conservation Area), which is characterised by predominantly residential development focused around the Grand Union and Regent's Canals and wide leafy avenues. For the reasons given above, the appeal proposal would not have a harmful effect upon the setting of the Conservation Area or the significance of the heritage asset as a whole.
9. I therefore conclude that the proposed external roof and wall cladding material would provide the development with a high quality finish, and so would be acceptable having regard to the character and appearance of the host building and surrounding area. As such, the appeal proposal would accord with the design aims of Policy S28 of Westminster's City Plan: Strategic Policies, Policies DES 1 and DES 6 of the City of Westminster's Unitary Development Plan, the National Planning Policy Framework and the City of Westminster supplementary planning guidance 'Design Matters in Westminster'.

Conclusion

10. For the reasons set out above and having had regard to all other matters raised, I conclude that the appeal should be allowed.

C L Humphrey

INSPECTOR

Schedule of Plans

1124B_M_011-A	North elevation materials proposed
1124B_M_012-A	South elevation materials proposed
1124B_M_013-A	East elevation materials proposed
1124B_M_014-A	West elevation materials proposed
1124B_M_016-A	Roof plan materials proposed
1124B_M_020-A	Materials photographs
1124B_M_030-A	Window Details 1
1124B_M_031-A	Window Details 2
1124B_M_032-A	Rooflight Details 3