
Appeal Decision

Site visit made on 16 January 2017

by C L Humphrey BA (Hons) DipTP MRTPI

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

Decision date: 23rd January 2017

Appeal Ref: APP/X5990/W/16/3161082
8 Monmouth Place, London W2 5SA

- 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 Karim Movaghar against the decision of the City of Westminster Council.
 - The application Ref 16/01865/FULL, dated 2 March 2016, was refused by notice dated 6 June 2016.
 - The development proposed is described as 'Reinstatement of original cornice and parapet wall to front elevation with new roof form behind providing additional accommodation space to existing flats at Third Floor'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Notwithstanding the description of development set out in the banner heading above, which is taken from the application form, the Council's decision notice describes the development as "Erection of single storey extension at roof level to provide additional accommodation to existing third floor flats, reinstatement of original cornice and parapet wall to front elevation (forms part of No's. 60-62 Westbourne Grove)." I note that the appellant has used this description in the appeal form. The revised description more appropriately describes the proposed development, and I have therefore considered the appeal on that basis as neither of the parties would be prejudiced or caused any injustice by me taking this course of action.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the appeal property and the surrounding area.

Reasons

4. The appeal property is a four storey building with retail use at ground floor and residential flats above, located on the north side of Westbourne Grove within the Westbourne Conservation Area (the Conservation Area). The City of Westminster Westbourne Conservation Area Audit Supplementary Planning Guidance (the CAA), identifies the appeal property as a particularly noteworthy landmark building and an unlisted building of merit. Although the CAA was adopted in 2002, nevertheless it provides useful guidance on the Conservation
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Area in support of development plan policies and is a material consideration in the determination of this appeal.

5. The Conservation Area is characterised by a coherent form and townscape of mainly 3 and 4 storey villa and terrace developments with brick and stucco facades, generally laid out in a grid pattern running north-south between Talbot Road and Westbourne Grove. Other than the retail development focused along Westbourne Grove, the area is predominantly residential.
6. It is proposed that a single storey extension would be added to the roof of the appeal property, providing additional accommodation for the existing top floor flats. The extension would be designed as a linked series of 3 'pop-ups' set back from the front elevation of the building behind a parapet wall which would feature 3 colonnaded sections. A projecting decorative cornice detail would be reinstated below the parapet.
7. Previous alterations to the parapet and cornice give the appeal property a somewhat unresolved appearance at parapet level, so reinstating the cornice and parapet would give greater definition to the top of the building.
8. The proposed extension would add an extra storey to the appeal property. I noted during my site visit that Westbourne Grove features buildings of varying heights, some of which have mansards and dormers serving roof level accommodation. However, the rooflines of both the appeal property and the adjoining terrace to the west are characterised by the horizontal lines of their parapet design, with the roof form concealed behind.
9. Whilst the appeal property is a landmark building with distinctive architectural detailing, it nevertheless integrates successfully with the terrace to the west in terms of its form and proportions. The existing cornice, string courses and window openings on the front elevation of the building broadly align with those on the adjoining terrace, creating a pleasing rhythm and harmony along this stretch of the street.
10. The submitted plans indicate that much of the roof extension would be slightly higher than the existing roof structures. The westernmost 'pop-up' would have a mono-pitched roof rather than the flat roof which is proposed over the majority of the extension, and so would be even higher. The extension would occupy the full width of the appeal property and be of a considerable depth. It would be clad in metal, giving it a substantial appearance, and the extent of the full height glazing would not reflect the established hierarchy of fenestration which reduces considerably on the upper floors. The placement of the 3 proposed 'pop-ups' would reflect the pattern of fenestration below, and the proposed materials would be of a high quality. However, the greater height and bulk, solid form and incongruous roof design of the proposed extension would introduce a jarring feature which would interrupt the established termination point of the building and create a top heavy and unduly dominant feature.
11. Although the proposed extension would be set back from the front elevation behind the raised parapet and so would not be visible at eye level from the street immediately to the front of the appeal property, it would be noticeable in longer range public views. I noted during my site visit that the extension would be discernible above the front parapet when viewed from the west along Westbourne Grove. It would also be clearly evident, rising up above the

parapet, when viewed from the northern end of Garway Road. Furthermore, the proposed development would be seen from upper floor windows of the properties opposite the appeal site on Westbourne Grove, and from the rear of neighbouring properties to the north on Newton Road.

12. It has been put to me that the strength of the roofline is diminished by the existing roof structures. However, unlike the proposed extension, these are modest, lightweight additions which do not fundamentally alter or detract from the appearance of the building. Whilst I note that the appeal property was originally higher than its neighbours, featuring a taller parapet which has since been reduced, the parapet appears to have been designed as the termination point of the building and did not amount to an additional storey in height.
13. The appellant has drawn my attention to roof extensions which the Council has permitted within the Conservation Area, and both main parties have made reference to a number of appeal decisions relating to proposed roof extensions. However, I do not have full details of these schemes or the individual site circumstances of each case. In any event I must determine the appeal on its own merits, and have done so.
14. For the reasons set out above, I conclude that the appeal proposal would have a harmful effect upon the character and appearance of the appeal property and the surrounding area and would fail to preserve or enhance the character or appearance of the Westbourne Conservation Area. As such, the appeal proposal would not accord with the design and heritage conservation and enhancement aims of Policies S25 and S28 of Westminster's City Plan, Policies DES 1, DES 6 and DES 9 of the City of Westminster Unitary Development Plan and the CAA.
15. I conclude that the harm to the Conservation Area which I have identified above would be less than substantial. Paragraph 134 of the Framework states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. I do not consider that the provision of additional accommodation for the existing top floor flats would amount to a public benefit sufficient to outweigh the harm that would be caused to the heritage asset.

Conclusion

16. I have had regard to the benefits of the proposed development in terms of the provision of additional residential accommodation. However, this does not outweigh the harm I have identified with regard to the main issue.
17. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

CL Humphrey

INSPECTOR