
Appeal Decision

Site visit made on 17 January 2017

by Alastair Phillips BA(Hons) DipTP MTP MRTPI DipTP MRTPI

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

Decision date: 27 January 2017

Appeal Ref: APP/X5990/D/16/3160363

39 Sutherland Street, London SW1V 4JU

- 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 and Mrs B and L O'Connell against the decision of City of Westminster Council.
 - The application Ref 16/06223/FULL, dated 1 July 2016, was refused by notice dated 23 August 2016.
 - The development proposed is replacing the defective butterfly roof with a flat roof and making a glazed covered access to the new flat roof.
-

Decision

1. The appeal is allowed and planning permission is granted for replacing the defective butterfly roof with a flat roof and making a glazed covered access to the new flat roof at 39 Sutherland Street, London SW1V 4JU in accordance with the terms of the application, Ref 16/06223/FULL, dated 1 July 2016, subject to the following 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: 2993/LP1, 2993/001, 2993/002, 2993/011, 2993/012 and 2993/Photos 001.
 - 3) 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.

Procedural Matter

2. Since the date of the refusal to grant planning permission the local planning authority has adopted Westminster's City Plan Consolidated with all changes since 2013 – November 2016 (the Consolidated LP). Policies S25 and S28 and paragraphs 10.108 to 10.128, which are referred to in the decision notice, are unaltered in the Consolidated LP.

Main Issue

3. The main issue is whether the proposal preserves or enhances the character or appearance of the Pimlico Conservation Area.
-

Reasons

4. The appeal site is an attractive and prominent four storey (over a basement) house located at the corner of Sutherland Street and Clarendon Street within the Pimlico Conservation Area. The area is primarily residential and characterised by a formal street layout based on a grid pattern. Many of the original buildings built between the 1830s and 1870s survive, but there are examples of modern infill development.
5. Compared to many nearby grand classical four and five storey stuccoed terraced houses with projecting Doric porches and balustrade balconies at first floor level the building is more modest and built of yellow brick with a stucco ground floor and stucco ornate cornice to the third floor facing Sutherland Street.
6. My observations on site confirmed that there are numerous roof alterations in the vicinity of the site, including terraces of various designs and styles in a variety of materials. From the roof I also observed various plant housings, air conditioning units and other domestic paraphernalia at roof level near to the site.
7. The existing butterfly roof structure is of basic construction and is constructed of poor quality artificial tiles. The small valley gutter and shallow pitch of the roof are inadequate to deal with rainfall and result in the ingress of water into the internal roof area. It is clearly not the original roof which would have been of slate. The shallow pitch of the roof is not at all visible from ground level or from the surrounding area as a consequence of being hidden behind the existing parapet, which is to be retained.
8. Although the proposal would result in the loss of the general form of the original roof, it would not result in the loss of an original feature or compromise the original historic composition of the property. The roof itself is not an unusual or historically significant or distinctive feature within the Conservation Area. Furthermore, the proposed flat roof would be not at all visible from the nearby public realm or longer public or private views. Consequently, I do not consider that the replacement roof would adversely affect the architectural character or unity of the building or the group of which it is part.
9. Although the glazed access roof structure would be partly visible from street level and from the upper floors of some nearby buildings, it would be largely hidden behind the parapet. Only the top section would be visible and, owing to the glazing and uncomplicated design it would not be particularly visually intrusive or unsightly. I recognise that large areas of glass are not features associated with traditional buildings in Pimlico Conservation Area. However, the extent of the proposed glazing would not be obvious from the limited surrounding views of the structure. Consequently, I do not find that this element of the proposal would harm the overall appearance or integrity of the building or fail to preserve or enhance the character or appearance of the Pimlico Conservation Area in which it is located.
10. I conclude that the development would preserve the overall character and appearance of the Pimlico Conservation Area. Therefore it would comply with the requirements of Policies S25 and S28 of the Consolidated LP, Policies DES 1, DES 6, DES 9 and paragraphs 10.108 to 10.128 of the City of Westminster Unitary Development Plan January 2007 and the Framework.

These policies seek to recognise Westminster's historic environment, ensure that development incorporates exemplary standards of architectural quality, including roof level alterations and extensions and ensure that development preserves or enhances the character or appearance of conservation areas.

Conclusion

11. For the above reasons and taking account of other matters raised I conclude that the appeal should be allowed.

Conditions

12. Due to the nature of the proposal and the poor quality of materials currently used, rather than specifying matching materials, I have attached a condition requiring the approval of materials to be used in the construction of the external surfaces of the development.

Alastair Phillips

INSPECTOR