

## Appeal Decision

Site visit made on 14 February 2017

**by Michael Moffoot DipTP MRTPI DipMgt MCMI**

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

**Decision date: 28<sup>th</sup> February 2017**

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**Appeal Ref: APP/X5990/Z/16/3162090  
115 Queensway, London W2 4SJ**

- 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 Mariano Garcia against the decision of City of Westminster Council.
  - The application Ref: 16/03311/FULL, dated 12 April 2016, was refused by notice dated 18 August 2016.
  - The development proposed is erection of a replacement timber shopfront.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in this case is whether the proposed development would preserve or enhance the character or appearance of the Queensway Conservation Area.

### Reasons

3. The appeal site comprises a ground floor retail unit located within an elegant terrace of four and five-storey buildings fronting the west side of Queensway; a bustling thoroughfare in a predominantly commercial part of Bayswater. This part of the Conservation Area is characterised by imposing Victorian and Edwardian terraced properties of brick construction with prominent full-height bays to upper floors and decorative string courses, parapets and stone surrounds to elegant sliding sash windows.
  4. The *Conservation Area Audit for Queensway* Supplementary Planning Document (SPD) notes that many shopfronts have undergone unsympathetic alteration which has had a significant impact on character. It adds that many are of poor quality in terms of design detail, materials, signage, illumination or other clutter such as shutter boxes. Fascias are of greatly varying proportions and materials and many are poorly designed or oversized, often with poor quality modern materials such as plastics and laminates. The document encourages a higher standard of new shopfront design in all new proposals, specifically seeking the use of higher quality materials, consistency of shopfront proportions across groups, and fascias set within the original shopfront framework so they do not obscure architectural detail.
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5. The Council's Design Guide: *Shopfronts, Blinds and Signs - A Guide to their Design* sets out detailed criteria for new shopfronts, including respect for the scale, proportions and architectural style of the building and the relationship with surrounding façades. Particular emphasis is placed on the importance of new shopfronts in conservation areas, where more stringent design considerations will apply.
6. The proposed shopfront has been installed. The original pilasters have been retained, and the use of painted timber for the frame and incorporation of traditional stallrisers broadly accords with guidance in the SPD. However, the depth of the fascia is excessive and dominates the shopfront, and its impact is compounded by large, acrylic signage. Furthermore, the offset entrance door unbalances the elevation and further compromises the proportions of the shopfront. As a result, the shopfront is a conspicuous and discordant alteration which seriously harms the appearance of the building and fails to preserve or enhance the character and appearance of the Conservation Area.
7. Whilst the harm to the Conservation Area would be less than substantial as described in paragraph 134 of the Framework, there are no public benefits which would outweigh the harm caused by the development.
8. The appellant submits that the shopfront is an improvement on what previously existed on the site. Whether or not this is the case, I have found the proposal to be unacceptable for the reasons set out above, and this argument therefore has very little bearing on the planning merits of the case.
9. In the light of my conclusions, I find that the proposal conflicts with those parts of Policies S25 and S28 the City Plan<sup>1</sup> which seek to conserve the area's extensive heritage assets and incorporate exemplary standards of sustainable and inclusive urban design. It is also contrary to similar objectives in Policies DES 1, DES 5 and DES 9 of the UDP<sup>2</sup> which, amongst other things, require development to be of the highest architectural quality and in scale with the existing building and its immediate surroundings and, in relation to new shopfronts, relate satisfactorily to the upper parts of the building.

## Conclusion

10. For the reasons set out above, I conclude that the proposal is unacceptable and the appeal should fail.

*Michael Moffoot*

Inspector

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<sup>1</sup> Westminster City Plan

<sup>2</sup> City of Westminster Unitary Development Plan