
Appeal Decisions

Site visit made on 16 February 2017

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 01 March 2017

Appeal A

Appeal Ref: APP/X5990/D/16/3160069

8 Monmouth Road, London W2 5SB

- 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 Charles Payne against the decision of City of Westminster Council.
 - The application Ref 16/04450/FULL, dated 9 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is basement with front and rear lightwells and alterations to front elevation, single storey rear extension to replace existing conservatory.
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Appeal B

Appeal Ref: APP/X5990/D/16/3160928

8 Monmouth Road, London W2 5SB

- 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 Charles Payne against the decision of City of Westminster Council.
 - The application Ref 16/04875/FULL, dated 17 May 2016, was refused by notice dated 21 July 2016.
 - The development is proposed rear dormer.
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Decision

1. Appeal A is allowed and planning permission is granted for basement with front and rear lightwells and alterations to front elevation, single storey rear extension to replace existing conservatory at 8 Monmouth Road, London W2 5SB in accordance with the terms of the application, 16/04450/FULL, dated 9 May 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; AC/CP/16/10007, AC/CP/16/10002, AC/CP/16/10003, AC/CP/16/10006, AC/CP/16/100010, AC/CP/16/10008, AC/CP/16/10004, AC/CP/16/10005, AC/CP/16/10009, AC/CP/15/110012, AC/CP/15/110013, AC/CP/15/110017, AC/CP/15/110018, AC/CP/15/110019, AC/CP/15/110011, AC/CP/15/110020, AC/CP/15/110014, AC/CP/15/110022, AC/CP/15/110021, AC/CP/15/110015.
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- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to the commencement of any demolition or construction on site, evidence shall be provided that any implementation of the scheme hereby approved will be bound by the Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, approved by the Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein.
2. Appeal B is allowed and planning permission is granted for rear dormer at 8 Monmouth Road, London W2 5SB in accordance with the terms of the application, Ref 16/04875/FULL, dated 17 May 2016, and the plans submitted with it, subject to the following conditions:
- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan; AC/CP/15/10001; AC/CP/15/10002; AC/CP/15/10003; AC/CP/15/10004; AC/CP/15/10005; AC/CP/15/10006; AC/CP/15/10007; AC/CP/15/10008; AC/CP/15/10009; AC/CP/15/100010; AC/CP/15/22001; AC/CP/15/22003; AC/CP/15/22004; AC/CP/15/22005; AC/CP/15/220015.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary matters

3. The description of the proposal in Appeal A varies between the application form and the subsequent documents. I have used the description given on the decision notice as it describes the proposal more accurately.

Main Issue

4. The main issue in each case is the effect of the proposal on the character and appearance the conservation area.

Reasons

5. The appeal site at 8 Monmouth Road is located within the Westbourne Conservation Area (CA), which is primarily characterised by residential development dating from around the early 1840s onwards. No 8 forms half of a Victorian villa whose appearance is typical of the CA.
6. Appeal A relates to a rear lightwell which formed part of a scheme which was previously granted planning permission in 2016¹. The appeal scheme would enlarge the proposed lightwell from around 2.65m to around 4.54m in width.
7. The Council's document entitled 'Basement Development in Westminster – Supplementary Planning Document' (SPD, October 2014) sets out guidelines for the introduction of lightwells which would affect heritage assets. As a

¹ 15/10097/FULL

general principle, the rear of the building is considered to be the most discreet location, and the SPD advises that lightwells should be located immediately adjacent to the rear elevation. In terms of size, new lightwells should be related to the scale and composition of the existing building, and the proportions of the garden.

8. In terms of the overall proposal, the exiting rear conservatory would be replaced with a single storey extension which would be contemporary in design and appearance. The proposed lightwell would be seen in the context of this modern addition, and would be visually separated from the historic rear elevation of the main building. As such, it would have a minimal impact on the character and appearance of No 8. The lightwell would not be increased in depth and so its proportion in relation to the depth of the garden would remain as previously permitted. Although it would be wider, areas of grass would remain at either side of the lightwell, thus limiting the moat effect between the built form and the garden area.
9. On my visit, I saw that No 8 and its neighbour have been significantly altered at the back. As a result, the rear elevations lack uniformity, and their historic and architectural integrity has been somewhat compromised. Moreover, the garden area at No 8 is secluded from public view, and so even with the proposed increase in width, the lightwell would have a negligible impact on the significance of the CA.
10. I therefore conclude that the development would preserve the character and appearance of No 8, and of the wider Westbourne Conservation Area. It would thus comply with Policy S25 of Westminster's City Plan (WCP, July 2016), which seeks to conserve heritage assets, and WCP Policy S28, which relates to design. It would also comply with Policy DES 1 of the City of Westminster Unitary Development Plan (UDP, July 2007), which sets out principles of urban design and conservation, and UDP Policy DES 9, which seeks to preserve or enhance the character or appearance of conservation areas. It would further comply with UDP Policy DES 5, which sets out guidelines for alterations and extensions. Although the proposed lightwell would not be immediately adjacent to the rear of the building, the proposal would otherwise meet the recommendations of the SPD.
11. In Appeal B, it is proposed to add a flat-roofed dormer window to the rear roof slope at the appeal site. The Council's document entitled 'Roofs – A guide to alterations and extensions on domestic buildings' (Guide, November 2004) sets out guidelines for new dormer windows, which should be: modest in size; of simple construction and design; constructed of painted timber, and; lower in height than the windows below. The development would meet these requirements. The new windows would comprise small paned casements which would reflect the design of the existing windows in the rear elevation.
12. I agree that sliding sash windows of three panes over three are a traditional design for dormer windows. However, in this case, the casement windows, whilst not original, appear as part of the architectural evolution of No 8. I therefore consider the use of this pattern of glazing within the new dormer to be acceptable in this particular instance.
13. The proposed dormer would sit tight against the existing central chimney. Whilst I accept that this is a more unusual position, it would sit below the ridge height, and well above the eaves height, leaving most of the roof slope visible.

As a result, I consider that the proposed dormer would not be viewed as a bulky or discordant addition, and would not be a dominant feature when considered against the context of the existing building.

14. It was evident during my site visit that the rear elevation of No 8 is well screened from the surrounding area. I also observed the presence of dormers in the vicinity of greater dimensions and less sympathetic design than the appeal proposal. Within this context, and taking into account the limited visual impact of the development, I consider that the proposed dormer would preserve the character and appearance of no 8, and of the wider CA.
15. The development would thus comply with WCP Policy S25, which seeks to conserve heritage assets, and WCP Policy S28, which relates to design. It would also comply with UDP Policy DES 1, which sets out principles of urban design and conservation, UDP Policy DES 6, which sets out guidelines for roof level alterations and extensions, and UDP Policy DES 9, which seeks to preserve or enhance the character or appearance of conservation areas.
16. The Council additionally refers to the document entitled 'Supplementary Planning Guidance - Development and demolition in conservation areas' (November 2004), which states that roof extensions should respect the architectural character or style of the existing building but should always be subordinate to it. I consider that the proposal complies with these guidelines.
17. The Council's document entitled 'Westbourne Conservation Area Audit' (WCAA, February 2002) advises that new development should respect the original scale and massing of the historic architecture. I agree with the WCAA's advice that the hipped roofs of the semi-detached villas are a key element of the character of the CA. However, in this case, the visual impact of the proposal would not be so harmful as to warrant the withholding of planning permission.

Conditions

18. I have had regard to the conditions suggested by the Council. For certainty, it is necessary that the developments are carried out in accordance with the approved plans. The conditions relating to materials are appropriate in the interests of character and appearance. A condition relating to the Council's Code of Construction Practice is necessary to ensure a satisfactory form of development. It is essential that the requirements of this condition are agreed prior to the relevant development commencing to ensure that the development is acceptable in respect of the matters addressed.

Conclusions

19. For the reasons above, and taking all other matters into consideration, I conclude that the appeals should be allowed.

Elaine Gray

INSPECTOR