

Appeal Decisions

Site visit made on 6 February 2017

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 16th March 2016

Appeal Ref: APP/X5990/W/16/3163707

34 Old Queen Street, London SW1H 9HP

- 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 Prestige Exclusive Lifestyle Limited against the decision of City of Westminster Council.
 - The application Ref 16/09074/FULL, dated 21 September 2016, was refused by notice dated 15 November 2016.
 - The development proposed is described as 'proposed mansard extension'.
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Appeal Ref: APP/X5990/Y/16/3163708

34 Old Queen Street, London SW1H 9HP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Prestige Exclusive Lifestyle Limited against the decision of City of Westminster Council.
 - The application Ref 16/09075/LBC, dated 21 September 2016, was refused by notice dated 15 November 2016.
 - The development proposed is described as 'proposed mansard extension'.
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Decision

1. Both appeals are dismissed.

Main Issues

2. The appeal building is a grade II listed building located within the Birdcage Walk Conservation Area (BCA). It is also adjacent to St James's Park, a Registered Park and Garden. Therefore, having regard to the statutory requirements of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the main issues in this case are:
 - whether the proposed roof extension would preserve the special architectural or historic interest of the grade II listed building and its setting; and
 - whether it would preserve or enhance the character or appearance of the BCA.

Reasons

3. The appeal site includes a grade II listed building which sits in a terrace of mainly listed buildings. Despite having been altered and added to throughout its history, its elegant proportions and completed and balanced composition, including the storeys added throughout its past, contribute to the listed building's significance as a heritage asset.
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4. The setting of the listed building includes its close relationship with the other buildings in the terrace. Although with some variation in height, detailed design and roof form, they display some similarity in age, general form and scale; matters that together contribute to the listed building's generally urban setting.
5. The appeal building is located within the BCA. Its elegant proportions and completed and balanced composition, along with those of its neighbours, contribute to the high quality historic domestic residences that help define the character and appearance of the Conservation Area. As the appeal building is close to St James's Park, it contributes to the wealth of historic buildings that sit near the edge of that park and contribute to its setting.
6. The proposed roof extension with windows and a mansard addition above at the front, would accentuate the appeal building's narrow proportions, such that it would appear taller and narrower. This would diminish the elegant proportions of the appeal property. As its elegant proportions would be harmfully altered, it would appear out of place in the terrace, in which it sits.
7. At the rear, it would harmfully alter the elegant proportions of the appeal building in a similar way. The use of a large expanse of modern glazing, and a bulky and generally upright form, would fail to relate appropriately to the rest of the rear elevation, its mainly solid appearance and its historic traditional materials. In combination with the proposed glass balustrade, it would appear out of place. This would be the case, even though non-reflective glass is proposed and that element of the appeal proposal, with a roof addition with less glazing at the rear, has been authorised through a previous permission and consent¹.
8. In coming to this conclusion, I have had regard to the previous planning and listed building consent brought to my attention², which included a double height mansard and note that the overall height would be roughly similar to this appeal. I am aware that due to the proportions of the street, public views of the proposed roof would be limited from Old Queen Street, but it would be apparent in some views and from the upper floors of buildings opposite.
9. I have had regard to the property next door, No. 32, which has glazing at roof level at its rear. However, that glazing is at a lower level and that building is wider with a greater general scale. I have also noted that the appeal proposal would introduce some design detailing which would help to visually link the buildings within the terrace, the proposed windows at the front would be aligned with those below and materials to match those existing would be used where appropriate. I note also that it would retain a single dormered storey at the front, which would be similar to others in the terrace. However, I saw in the locality a variety of form of mansard roofs and overall, I have found that unacceptable harm would be a consequence of the appeal development and works that would outweigh those benefits. I also note that there would be some design improvements on the recently approved scheme³, but overall I consider that unacceptable harm would be a consequence.

¹ 05/04293/FULL and 05/04294/LBC

² 16/06778/FULL and 16/06779/LBC

³ 16/06778/FULL and 16/06779/LBC

10. I have found that the appeal proposal would result in unacceptable harm to the appeal building. I have also found that the appeal building positively contributes to the character and appearance of the BCA. Therefore, it follows that the appeal proposal would fail to preserve the character and appearance of the BCA. Whilst it would be apparent in some views from St James's Park those views would be interrupted by trees and as there would be some separation distance, overall, it would not adversely affect the setting of that park.
11. I conclude that the appeal proposal would fail to preserve the special architectural or historic interest of the grade II listed building, 34 Old Queen Street and its setting. It would also fail to preserve the character or appearance of the BCA that I have identified. For all these reasons it would be contrary to Policies S25 and S28 of the Westminster's City Plan Strategic Policies (2016) and Policies DES1, DES6, DES9, DES10 and DES12 of the City of Westminster Unitary Development Plan (2007). Those policies, together, aim to recognise Westminster's wider historic environment, conserve its extensive heritage assets including listed buildings, conservations areas and its historic parks, amongst other things. They also seek to incorporate exemplary standards of sustainable and inclusive urban design and architecture.

Public Benefits

12. In accordance with paragraph 132 of the National Planning Policy Framework (the Framework), I accord great weight to the conservation of designated heritage assets. I consider that the harm to the significance of the heritage assets identified would be less than substantial, a matter to which I attach considerable importance and weight. However, in this case, no public benefits, as identified in paragraph 134 of the Framework, are before me, which would outweigh that harm. In making this assessment, I have noted that it would result in upgraded historic fabric, make use of unutilised urban space, would relocate existing plant at roof level and would enhance the energy performance of the appeal building. Whilst it would provide enhanced living space and views of St James's Park, those benefits would relate to the occupiers of that building alone.

Conclusions

13. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

R Barrett

INSPECTOR