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## Appeal Decision

Site visit made on 23 March 2017

**by Andrew Dawe BSc(Hons) MSc MPhil MRTPI**

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

**Decision date: 07 April 2017**

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**Appeal Ref: APP/X5990/D/16/3161256**  
**29 Riding House Street, London W1W 7DX**

- 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 Mrs Penelope Brudenell-Bruce against the decision of City of Westminster Council.
  - The application Ref 16/06100/FULL, dated 29 June 2016, was refused by notice dated 22 August 2016.
  - The development proposed is erection of mansard roof extension.
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### Decision

1. The appeal is allowed and planning permission is granted for erection of mansard roof extension at 29 Riding House Street, London W1W 7DX in accordance with the terms of the application, Ref 16/06100/FULL, dated 29 June 2016, subject to the following conditions:
  - i) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - ii) 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.
  - iii) The development hereby permitted shall be carried out in accordance with the following approved plans: 13100/2003 Rev P1, 13100/2005 Rev P2 and 13100/2007 Rev P1.

### Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the East Marylebone Conservation Area (the CA).

### Reasons

3. The site is located in the CA and as such special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the CA.
  4. The CA is characterised by a variety of buildings in a high density area, many of which along Riding House Street have had mansard roof extensions added. Nos 29 and 31, of a similar design, are two exceptions and as such are lower than others in the vicinity on that side of the street. They, along with some others in the street, are among a large number of buildings in the CA that are recorded in the Council's CA Audit as unlisted buildings of merit. Those
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properties opposite are significantly taller and that at No 33 is also noticeably taller with a side wall abutting the boundary with No 31 rising prominently above the height of that building.

5. Middleton Place has a distinctive character of its own with most of the properties comprising two attractive terraces of traditional dwellings either side of the road, again recorded as unlisted buildings of merit in the CA Audit. They have a high degree of design consistency with largely unbroken roofscapes. Exceptions to this are at Nos 10 and 11, adjacent to the rear of No 27 Riding House Street, which do have mansard roof extensions, with the windows being visible from the street. No 27 Riding House Street, which is on the opposite corner to No 29, itself has a mansard roof of a design similar to that proposed. No 27 also abuts with the Middleton Place terrace, as do other higher buildings at the northern end of that terrace and the one on the opposite side of the road. In contrast, there is a distinct gap between the rear elevation of No 29 and the southern end of the Middleton Place terrace on that side of the road.
6. In that existing context, the addition of a mansard roof to No 29 would not appear unusual or draw disproportionate attention. With regard to Middleton Place, the degree of separation in particular would enable that neighbouring terrace to retain its design integrity, particularly as at all other ends of the terraces in that road, they abut differently designed buildings. Looking towards the site along Middleton Place, the mansard would also be seen against the backdrop of much taller buildings on the opposite side of Riding House Street and so would not be a dominant feature in that sense either.
7. The loss of the existing pitched roof would only be clearly evident from the rear, where there is currently no parapet wall screening it from view. However, other than in respect of No 31, such a feature is not commonly seen from street level in the vicinity of the site due to the many other roof extensions, and the parapet walls of the Middleton Place terrace. The subservience of the proposed mansard would also be ensured by the proposed extension of the existing parapet wall round to the rear elevation.
8. The proposal would be clearly visible from Riding House Street and would change the degree of uniformity in the overall appearance of Nos 29 and 31, seen together primarily in vistas along Riding House Street. However, being set behind the existing parapet at the front and side would ensure that it would have a degree of subservience in its appearance. Furthermore, the key lines of the existing pair of buildings would be retained, thereby maintaining their architectural integrity in the context of the CA. Seen from the eastern approach along the street, it would be seen in a similar context and degree of prominence as the mansard roof of No 27 on the opposite corner, and from the other direction, to some extent against the backdrop of the higher side wall of No 33.
9. I acknowledge that the majority of buildings within the CA, including that at the appeal site, are identified in the CA Audit as being properties where roof extensions would not normally be acceptable. However, in this case, for the above reasons, the proposed development would preserve the character and appearance of the CA. As such, it would accord with policies S25 and S28 of Westminster's City Plan and policies DES 6, DES 9 and DES 1 of the City of Westminster Unitary Development Plan which together, amongst other things,

require development to incorporate the highest standards of design and architecture and to preserve or enhance the character or appearance of CAs.

10. The Council has suggested two conditions that it considers would be appropriate were I minded to allow the appeal. I have considered these in the light of advice in the Government's Planning Practice Guidance. In the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans would be required. In order to preserve the character and appearance of the CA, a condition to ensure that the proposed materials relating to external surfaces of the development shall match those used in the existing building would also be necessary.
11. The Council has not suggested the standard time condition for commencing the development. However, as the development has not commenced it would be necessary and reasonable to include this.

### **Conclusion**

12. For the reasons given above, I conclude that the appeal should be allowed.

*Andrew Dawe*

INSPECTOR