
Appeal Decision

Site visit made on 18 April 2017

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 09 May 2017

Appeal Ref: APP/X5990/W/16/3159931
232E Gloucester Terrace, London W2 6HU

- 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 Nicola Marett against the decision of the City of Westminster Council.
 - The application Ref 16/03999/FULL, dated 6 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is described as "the replacement of current pvc window to pvc French doors to top floor bedroom at front of building, creating small roof terrace. Alteration to rear top floor bedroom sloping roof to increase limited ceiling height to include addition of new bathroom."
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Decision

1. The appeal is dismissed.

Procedural Matters

2. 232 Gloucester Terrace is within the Bayswater Conservation Area. As required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to preserving or enhancing the character or appearance of a conservation area.
3. Since the Council's decision it has adopted the Westminster City Plan (2016) (CP). This plan has consolidated the changes to the City Plan that have occurred since its adoption in 2013. The Council have confirmed that the policies referred to in the decision notice were not changed by the 2016 CP. Noting this, and because I am obliged to determine the appeal against the most up-to-date development plan I have referred to the 2016 CP below.
4. It was apparent from my visit that the installation of PVC French doors and a small roof terrace had been undertaken. Notwithstanding this, I have confined myself to the consideration of the appeal proposal before me, rather than what has occurred on site.

Main Issue

5. The main issue is whether the alterations and extension would preserve or enhance the character or appearance of the Bayswater Conservation Area.

Reasons

6. The appeal property is a flat within the upper floors of 232 Gloucester Terrace, and is positioned mid-way within a terrace of similar aged and styled houses.
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Like many of the other terraces in the area, this late Victorian terrace is part of the planned development of Bayswater. A distinct feature of the historic area is the grand terraces comprising large houses. This and the use of stucco to the front elevations of the buildings gives a high quality and cohesive appearance to the conservation area.

7. The length and height of Gloucester Terrace, the richness and repeated architectural detailing of the houses within it, along with the use of traditional materials and stucco, makes a positive contribution to the character and appearance of the conservation area. The repetition of the form of the houses within the terrace is a distinctive feature of its appearance, including its roofscape. The repeated form and pitch of the roofs behind parapets, the party wall upstands, and the centrally positioned doors or windows are characteristic features of the terrace.
8. The proposed works would be to both the front and rear of the roof. The provision of a modest roof terrace would not harm the rhythmical appearance of the roofscape, and the French doors would maintain the repetition of the centralised positioning of the attic openings. The submitted drawings and the supporting Design and Access statement refer to the provision of new timber French doors. However, this contradicts the application form and the description of the proposal as including amongst other things, the provision of pvc French doors, with the proposed materials section of the form stating the doors will be double glazed upvc.
9. Notwithstanding the contradictions within the application, I share the concerns of the Council that the use of upvc is not a traditional material that harmonises with the character and appearance of this historic building, or with that of the high quality of the traditional materials found in the conservation area. Whilst views of the doors would be oblique when viewed from street level, the National Planning Policy Framework (the Framework) requires that when considering the impact of proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This and the requirements of Act apply in all cases, and not just where works are prominent or publically visible, or where there is local support for a scheme.
10. The appellant has drawn my attention to the use of upvc elsewhere. As I do not have the full planning history of these schemes before me I cannot ascertain whether they form a direct comparison with the appeal proposal. Furthermore, each case each has to be treated on its own individual merits in accordance with the requirements of the current development plan and all other material considerations, as I have undertaken in this instance.
11. Turning now to the proposed mansard roof to the rear of the flat, this alteration would harmfully interrupt the homogeneity of the terrace's roofscape. I accept that there have been alterations elsewhere within the terrace and it was apparent that the forms of the rear dormers show some variation. But the extent of the variation is limited and although there is a mansard extension further along row, it is continuity of the linear form of the pitched roofs of the terrace that remains dominant. This and the subservience of the repeated size and positioning of the dormers between the party wall upstands gives a rhythm to the roofscape that would be harmfully interrupted by the mansard.
12. The appellant has pointed out that the proposed alterations would only be visible within distance views. However, the continuity and rhythm of the

roofscape of the terrace is visible within the surrounding area, with the rear of the buildings being particularly apparent due to the openness formed by the presence of the railway and tube lines. Even with the cables above the tracks, the striking rhythm of the houses and the homogeneity of the terrace's curved sinuous form is an eye catching feature, the continuation of which would be unacceptably eroded by the mansard.

13. Thus for the reasons given the proposed works would unacceptably harm the character and appearance of the Bayswater Conservation Area. This would be contrary to CP Policies S25 and S28 and Policies DES1, DES5, DES6 & DES9 of the City of Westminster Unitary Development Plan (2007). These policies seek amongst other things the conservation of heritage assets, the use of traditional materials, sustainable and inclusive design, and that which reflects the character and appearance of a building and its context, thereby reflecting the Framework.
14. The Framework also requires that where a development proposal would be less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The scheme would result in less than substantial harm due to the relatively small size of it compared to that of the conservation area as a whole. I appreciate the sloping ceiling heights in the two attic rooms of the flat would be frustrating for the appellant. However, the ceiling form does not preclude the use of the rooms and the benefits of the scheme would be personal rather than public benefit, therefore not outweighing the harm I have found.

Other Matters

15. The Council have objected to the proposed materials of the mansard roof. The submitted drawings do not specify the roof materials, although the appellant's supporting evidence refers to the use of slate, with the new window being timber. The use of traditional materials within the rear extension would preserve the character and appearance of the building and its contribution to the conservation area. Although this would be a positive aspect of the mansard, it would not outweigh the harm I have found.
16. Finally, the appellant has raised a number of issues regarding the Council's handling of the application and the provision of advice. I appreciate such matters would be of concern but they have to be pursued by other means separate from the appeal process and are not for me to consider with regard to the planning considerations of this case.

Conclusion

17. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR