



Appeal Decision

Site visit made on 25 July 2017

by R Norman BA (Hons) MA MRTPI

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

Decision date: 14 August 2017

Appeal Ref: APP/X5990/D/17/3176411 2, Burdett Mews, London W2 5RQ

- 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 Henry Collins against the decision of City of Westminster Council.
 - The application Ref 17/00395/FULL, dated 16 January 2017, was refused by notice dated 8 March 2017.
 - The development proposed is a rear dormer window set within the existing roof profile.
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Decision

1. The appeal is allowed and planning permission is granted for a rear dormer window set within the existing roof profile at 2, Burdett Mews, London W2 5RQ in accordance with the terms of the application, Ref 17/00395/FULL, dated 16 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos AC/A/IIC/18004 – Proposed Floor Plans; AC/A/HC/18004 – Proposed Elevations and Section and AC/A/HC/18005.
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials to match those of the existing building.
 - 4) The dormer hereby permitted shall be painted white and maintained as such thereafter.

Main Issues

2. The main issue is the effect of the development on the character and appearance of the existing building and the Westbourne Conservation Area.

Reasons

3. The existing dwelling comprises a mid-terraced property. It is located within a privately gated group of dwellings with further residential dwellings to the north (Westbourne Gardens) and south (Hatherley Grove). The site is within the Westbourne Conservation Area. Burdett Mews comprises of a row of modest dwellings set amongst other more substantial terraced properties and is uniform in appearance and use of materials when viewed from the front of the properties. Each dwelling has a central dormer to the front elevation. On the

whole, this part of the Westbourne Conservation Area presents an attractive character with Victorian and late twentieth century buildings present.

4. The dormer would be set within the existing rear roof slope and would provide additional accommodation within the existing roof space. The dwellings at Burdett Mews are uniform in appearance, with dormer windows to the front elevation, and whilst the rear elevations are largely similar there are examples of other rear dormers present along these roofscapes. Whilst these are mainly located at first floor level, the introduction of the proposed dormer at second floor level would not appear incongruous. The National Planning Policy Framework requires proposals affecting heritage assets to be considered having regard to any harm caused to their significance, and any less substantial harm should be weighed against the public benefits of the development, including securing an optimal viable use.
5. The introduction of the dormer window would allow for further use of the roof space, providing an en suite shower room. The Westbourne Conservation Area Audit identifies Burdett Mews as a location where roof extensions would be unacceptable, however I have balanced this against the presence of the other existing dormers and the impact that the development would have on the building and Conservation Area. I consider that the introduction of the dormer would have a limited impact on the character and appearance of the building due to its location and design. Whilst I acknowledge that there will be views of the dormer from the rear windows of the dwellings on Westbourne Gardens, it would not be visible from any key public views within the Westbourne Conservation Area. There are also similar rear dormers present close to the appeal site. As such the development would preserve the character of the Westbourne Conservation Area.
6. Given the above, the proposal would accord with Policies S25 and S28 of the Westminster City Plan (2016) which require the conservation of Westminster's heritage assets through quality of design, amongst other things. Furthermore the development would comply with the requirements of Policies DES1, DES6 and DES9 of the City of Westminster Unitary Development Plan (2007) which seek to avoid adverse effects on the architectural character and unity of existing buildings. The location of the dormer, the limited views, the presence of other dormers and the benefits that the development would bring would preserve the character and appearance of the Conservation Area.

Other Matters

7. I note the concerns from nearby residents in relation to noise, loss of light, loss of privacy and light pollution. The dormer would serve an en-suite shower room and as such, it is unlikely to generate excessive amounts of noise. Furthermore, it is unlikely to result in overlooking or light pollution as the windows would be obscure glazed as detailed on the plans. The scale and location of the dormer would not result in any impacts on the living conditions of the nearby properties in terms of light pollution or loss.

Conclusion

8. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Conditions

9. In addition to the standard time limit condition I have included a condition listing the approved plans in the interests of clarity. A condition in relation to the external materials is necessary in the interests of protecting the Conservation Area. The Council have requested a condition that the dormer should be painted white and I considered this necessary also given the location of the site within the Conservation Area and the need to preserve its character and appearance. I note the request from a local resident for a condition requiring the window to be obscure glazed and fixed shut, however the approved plans show opaque glazing with openings to be restricted to 190mm. As such this is covered by condition 2 and no additional condition is necessary.

R Norman

INSPECTOR