



Appeal Decision

Site visit made on 1 August 2017

by S J Buckingham BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 5th September 2017

Appeal Ref: APP/X5990/W/17/3174360
15D Clifton Villas, London W9 2PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Ms Sue Wolff against the decision of City of Westminster Council.
 - The application Ref 16/05559/ADFULL, dated 10 June 2016, sought approval of details pursuant to condition No 6 of a planning permission Ref 15/07722/FULL, granted on 1 March 2016.
 - The application was refused by notice dated 25 October 2016.
 - The development proposed is construction of a mansard roof extension to form a new one bed flat.
 - The details for which approval is sought are: revised opening to the rear staircase window to the mansard.
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Decision

1. The appeal is allowed and the reserved matters are approved, namely the revised opening to the rear staircase window to the mansard, details submitted pursuant to condition No 6 attached to planning permission Ref 15/07722/FULL granted on 1 March 2016, and in accordance with the application Ref 16/05559/ADFULL dated 10 June 2016 and the plans submitted with it.

Preliminary Matter

2. The appellant has pointed out that the Council has determined the appeal application in reference to an incorrect plan. Drawing Ref 150566_RDG_XX_XX_DT_A_1000B was submitted in relation to the application for approval of details, the context of which was given by a previously approved plan from the original permission, Ref 15/07722/FULL, showing the proposed rear elevation, and numbered 1505667_PD29 Rev A. However, in its appeal statement, the Council refers to drawing number 1505667_PD29, a superseded version of the same plan, subsequently withdrawn. I have therefore made my decision in reference to the amended plan, 1505667_PD29 Rev A.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area, with particular reference to whether it would preserve or enhance the character and appearance of the Maida Vaile Conservation Area.
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Reasons

4. No 15 Clifton Villas is a traditional terraced dwelling of three storeys to the front, and four to the rear where it backs on to Bristol Mews. It is an unlisted building in the Maida Vale Conservation Area.
5. The original permission was for the construction of a mansard roof extension to create a new one bedroom flat at 3rd floor level, and the relevant condition seeks detailed drawings of a revised opening to the rear staircase window in the mansard. It appears to me therefore that the glazed double doors to the rear elevation of the mansard are already approved, and that the matters before me for decision are details of the size, shape and treatment of the window in the same elevation.
6. The submitted drawing (Ref 150566_RDG_XX_XX_DT_A_1000B) gives context to the details shown, with the roof decking level and top of the parapet wall marked. This is confirmed in the correct approved elevational treatment, with which the drawing was intended to be viewed. On this basis, I conclude that the window would be of a simple design and modest size, and that when viewed across the parapet it would create a symmetrical appearance to the mansard. It would also line up with windows on the floors below.
7. While a sash window might be more typical in the context of the polite architectural style of No 15, the rear of the building is a secondary elevation, facing into a relatively enclosed and more functional townscape, including Bristol Mews, and which exhibits a variety of mansard window and door styles. This variety includes some modern, full height glazing to the rear of mansards of properties on Formosa Street, which sits above traditional sashes. In this context, the casement window would not appear particularly out of place.
8. A sash window would not, furthermore, mirror the design or proportions of the approved door, and would be likely therefore to create an unbalanced appearance which would appear odd and out of character with the conservation area, where symmetry in mansards is more usual.
9. I conclude therefore that the proposed detail would not appear particularly ungainly or obtrusive, and, as a result, that it would not cause harm to the character or appearance of the building or that of the Maida Vale Conservation Area. It would not therefore conflict with the requirements of the Framework.
10. The development would not conflict with policies S25 and S28 of the Westminster City Plan 2016 (the CP), which seek respectively to conserve heritage assets and to respect the city's heritage and local distinctiveness. It would not conflict with policy DES1 of the Council's Unitary Development Plan 2007 (the UDP), which seeks design which maintains the character of existing buildings; nor with policy DES6, which seeks roof extensions which are in sympathy with the existing building's architectural character, nor with the broad aim of policy DES9 which is to preserve or enhance the character or appearance of conservation areas and their settings. It would not, either, conflict with the detailed provisions for conservation area proposals set out in paras 10.108 – 10.128 of the UDP. It would not be contrary to advice contained in the Council's Supplementary Planning Guidance "Roofs: A Guide to Alterations and Extensions on Domestic Buildings", 1995.

Conclusion

11. For the reasons given above therefore, and taking into account all other matters raised, I conclude that the appeal should be allowed.

S J Buckingham

INSPECTOR