
Appeal Decision

Site visit made on 22 August 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 11 September 2017

Appeal Ref: APP/X5990/D/17/3175561
10 Acacia Road, London NW8 6AB

- 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 M D Legal Services against the decision of City of Westminster Council.
 - The application Ref 16/10875/FULL, dated 15 November 2016, was refused by notice dated 14 February 2017.
 - The development proposed is described as side extension to dwelling house at upper ground, first and second floor levels only.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal property has the benefit of planning permission, granted on 12 September 2016, for the excavation of basement; erection of rear extension at rear lower ground floor level; extension of front ground floor porch; alteration and replacement windows and doors; alterations to landscaping including demolition of existing garage; alterations to roof (Ref 15/09646/FULL). At the time of my site visit the development proposed pursuant to this permission had not commenced.
3. The application which is the subject of this appeal includes all of the above elements previously granted planning permission but with the addition of a three storey side extension at ground, first and second floor levels. Consequently the Council changed the description of application Ref 16/10875/FULL from that contained on the application form to 'Excavation of basement; erection of rear extension at rear lower ground floor level; erection of three storey side extension at upper ground, first and second floor levels; extension of front ground floor porch; alteration and replacement of windows and doors; alterations to landscaping including demolition of existing garage; alterations to roof.' This is a more accurate description of the development proposed which I have therefore used in the determination of this appeal.

Main Issue

4. The main issue is whether the proposed development would preserve the character and appearance of the St John's Wood Conservation Area.

Reasons

5. The appeal property comprises a substantial four storey semi-detached dwelling occupying a prominent corner plot at the junction of Acacia Road with Ordnance Hill and lying within the St John's Wood Conservation Area. Both main parties agree that the property is a typical 'St John's Wood Villa' which has frontage appearance of a single detached dwelling with front elevations having the greatest architectural expression with plainer side elevations. The front and side elevations are positioned commensurate with the building line of properties on Acacia Road and Ordnance Hill.
6. Both the appeal property and the adjoining dwelling at No 9 Acacia Road have been subject to several side extensions in the past. The side extension at No 9 is relatively wide and extends over the four floors of the property. The appeal property has a number of side extensions that are of an unsympathetic design in relation to the host property. As such, the original frontage symmetry of the property has been damaged.
7. The proposed development would involve the construction of a full height side extension approximately 3.6m wide that would extend from the rear elevation and would be set back from the original front elevation. The proposed hipped gable roof would tie into the existing roof form with the eaves line being common with that that exists at the appeal property and No 9. The ridge height would be set slightly below that of the main building and would be broadly commensurate with the ridge height of the extension at No 9. Fenestration would be adequately proportioned and would match that of the existing building.
8. The proposed development would result in the combined side extensions to the appeal property having a similar scale, mass and proportions to the side extension at No 9. As such, it would considerably re-balance the front elevation of the building as a whole and enable the two semi-detached properties to be read as one architectural composition in views from Acacia Road and thereby according with the original design intent of a 'St John's Wood Villa'.
9. Due to the size of the plot and the scale and mass of the host building, in views from Acacia Road an extension of this scale can be absorbed into the architectural context of the existing building and overall its surroundings without resulting in an overdeveloped appearance. Moreover, the frontage appearance of the property would be considerably improved. Taking these factors into account, in views from Acacia Road the proposed development would not cause any significant harm to the character or appearance of the area.
10. The frontages of the terraced properties on the western side of Ordnance Hill, to the south east of the appeal site, provide the streetscape with a distinct and dominant building line which forms an important part of the character and appearance of this part of the conservation area. The St John's Wood Conservation Area Appraisal identifies the view down Ordnance Hill towards St John's Wood Terrace as an important local view. The existing side elevations of extensions at the appeal property align with the defined building line of this part of Ordnance Hill and, as such, do not interrupt this important view.

11. Due to the scale and mass of the host property and its prominent corner position, the side elevation of the appeal property is a component of the Ordnance Hill street scene. The proposed extension would be visible above the boundary wall and would considerably protrude beyond the distinct building line of this part of Ordnance Hill. This protrusion would result in the appearance of a form of development that appears at odds with the alignment of properties on this part of Ordnance Hill and, as such, it would visually dominate the street scene. The distinct uniformity of the street scene would be eroded and views interrupted by a protruding element of the building.
12. This incongruity would be emphasised by the slightly elevated position of the appeal site which would result in the full height extension appearing as a prominent side addition to the property in views looking up Ordnance Hill from St John's Wood Terrace. The failure to respect the distinct building line of the street scene would result in a built form that would have a noticeable closer relationship to the road than other properties on this part of the street. The predominant consistent gap between properties and the western side of Ordnance Hill would be narrowed in the vicinity of the appeal property.
13. The proposed development would result in some benefits to the character and appearance of the conservation area as a consequence of resultant re-balancing of the building as a whole in views from Acacia Road and the replacement of the current unattractive side elevation of the appeal property which displays several drainpipes. These benefits carry moderate weight in support of the proposal.
14. However, these benefits are marginally outweighed by the harm that would be caused to the Ordnance Hill street scene as a consequence of the protrusion of the proposed extension beyond the distinctive building line. This would result in a form of development that appears prominent and at odds with the character of the street. On balance, the proposal would fail to respect the distinctive character of this part of Ordnance Hill and thereby causing harm to the character and appearance of the area.
15. Against that background, I conclude that the proposed development as a whole neither preserves nor enhances the character or appearance of the St John's Wood Conservation Area. In the context of the National Planning Policy Framework great weight should be given to the conservation of a designated heritage asset. Although I consider the harm to be less than substantial, any harm should require clear and convincing justification. In this case I have taken into account the benefit of bringing the property back into use and the contribution that it would thus make to housing provision in the Borough. However, these public benefits would not outweigh the harm.
16. Accordingly, the proposal conflicts with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would not accord with paragraphs 131 and 132 of the National Planning Policy Framework. It would also be contrary to Policies S25 and S28 of the Westminster City Plan (2016) and Saved Policies DES1, DES 5 and DES 9 of the Westminster Unitary Development Plan (2007). These policies, amongst other things, require that new development should respect local distinctiveness and preserve or enhance the character or appearance of conservation areas and their settings. In addition development should respect the character, urban grain, scale and

hierarchy of existing buildings and the spaces between them and avoid the loss of significant gaps between buildings.

Conclusion

17. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR