
Appeal Decision

Site visit made on 18 December 2017

by C Victory BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2018

Appeal Ref: APP/X5990/W/17/3181646
Radley House, London NW1 6DP

- 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 Radley House Freeholders Limited against the decision of City of Westminster Council.
 - The application Ref 17/04624/FULL, dated 25 May 2017, was refused by notice dated 13 July 2017.
 - The development proposed is the rendering of the ground floor elevations and boundary walls, refurbishment of entrances including new canopies, railings and lettering and resurfacing of the car park.
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Decision

1. The appeal is dismissed insofar as it relates to the rendering of the ground floor elevations and boundary walls. The appeal is allowed insofar as it relates to refurbishment of entrances including new canopies, railings and lettering and resurfacing of the car park at Radley House, London NW1 6DP in accordance with the application Ref 17/04624/FULL, dated 25 May 2017, so far as relevant to that part of the development hereby permitted and subject to the conditions set out in the following schedule.

Preliminary Matters

2. The Council has advised that saved policy DES10 of the Westminster Unitary Development Plan (2007), which relates to listed buildings, was included in the officer report but omitted from the Decision Notice in error. Notwithstanding this, I have had special regard to the desirability of preserving the listed buildings in the vicinity of the site, settings, or any features of architectural or historical interest which they possess, in accordance with the expectations of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. In addition, the Council has stated that the refurbishment of the building entrances including new canopies, railings and lettering, resurfacing of the car park, refurbishment of steps and new landscaping that forms part of the application is likely to be considered acceptable. I have found that these elements would leave the Dorset Square Conservation Area unharmed and would have a neutral effect on the setting of adjacent listed buildings. Furthermore, I am satisfied that these elements are physically and functionally severable from the application of render to the lower section of the building elevations and boundary walls. Therefore I allow these parts of the development, subject to the conditions specified in the attached schedule.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the historic environment, including on the setting of adjacent listed buildings and the Dorset Square Conservation Area.

Reasons

5. Radley House is a six storey mid-20th century building constructed in red brick with crittal style windows. The appeal property has frontages to Park Road and Gloucester Place, and the site abuts the Rudolf Steiner House and Hall, on Park Road, and No 184 Gloucester Place, both of which are grade II listed buildings. Furthermore, whilst the appeal site lies outwith the Dorset Square Conservation Area, due to its close relationship with the aforementioned properties which are located within the conservation area, it forms part of the setting of these designated heritage assets.
6. The Dorset Square Conservation Area encompasses a large number of imposing Georgian townhouses, Dorset Square, Marylebone railway station and Baker Street underground station. With regard to the Council's Conservation Area appraisal, and my observations at the site, I consider that the Georgian terraces on Gloucester Place, to the south of the appeal property are important components of the conservation area. The widespread use of stucco to their elevations, amongst other architectural detailing, provides for a uniform appearance and their group value makes a positive contribution to the heritage significance of the conservation area.
7. Rudolf Steiner House and Hall are located at No 35 Park Road, to the south of the appeal property. The heritage significance of the building derives from its architectural detailing to both the interior and exterior, which takes its inspiration from the work of Rudolph Steiner. Dating from the 1920s, it is a unique example of expressionist architecture in London. The pale coloured cast concrete elevations contrast pleasingly with the red brick buildings on either side, highlighting the expressionist detailing of elements within the façade, including the rounded archways and ground floor windows. By contrast Radley House is plain and understated in appearance. The proposed light coloured rendering to the elevations and the boundary wall would therefore compete visually with the listed building and would compromise its distinctive character.
8. No 184 Gloucester Place forms part of a terrace at Nos 176 to 184 which is Grade II listed, and dates from circa 1815-1820. No 184 is constructed in stock brick with stuccoed ground floors, like its neighbour at No 182. The utilitarian style of Radley House is subordinate in appearance to the grandeur and detailing of these adjacent buildings, but the proposed cream would extend higher than the ground floor stucco at No 184 Gloucester Place, and would compete for prominence. The application of grey render to the low boundary wall along the Gloucester Place frontage would add a further jarring note. In this way the proposal would compete for, and would conflict with rather than harmonise with the character of the listed building and its subject terrace.
9. I acknowledge that there are a variety of buildings in the wider area, such as modern flats on nearby on Park Road, which have light coloured render to their elevations. Nevertheless, it is the direct juxtaposition of the proposed render

on the appeal building and boundary walls with its neighbouring properties on both Park Road and Gloucester Place which would be harmful, and thus the existence of other examples of buildings rendered in cream or other light colours carries little weight in my decision.

10. The proposed render to the elevations and boundary walls of the appeal property would therefore fail to preserve the setting of the adjacent grade II listed buildings, and would harm the character and appearance of the Dorset Square Conservation Area. It would be contrary to policies S25 and S28 of the Westminster City Plan (2016) and saved policies DES1, DES5, DES7, DES9 and DES10 of the Unitary Development Plan (2007), which seek to protect and enhance the historic environment.
11. The National Planning Policy Framework (the Framework) requires decision makers to give great weight to the conservation of designated heritage assets, noting that their significance can be harmed or lost through the alteration or destruction of the heritage asset or development within its setting. Due to the extent of the alterations to the property in relation to the size of the Conservation Area as a whole, I consider that they would cause less than substantial harm, and in accordance with paragraph 134 of the Framework I have weighed any public benefits associated with the development against the harm that would be caused.
12. Whilst the rendering might be considered by the appellant to improve the condition or appearance of the building in isolation, this is not the only way in which the building could be refurbished, and in any case would be only of private benefit to the owners or occupiers of the property. Consequently I do not consider that the rendering works would provide sufficient public benefit to outweigh the harm that would be caused to the setting of designated heritage assets, and conclude that the proposed rendering works would fail to accord with national policy.
13. Turning to the other proposed refurbishment works, I consider that these are minor in nature and would leave the character and appearance of the Dorset Square Conservation Area unharmed. They would also have a neutral effect on the setting of nearby listed buildings. I shall impose a condition requiring these works be carried out in accordance with the approved plans, excluding the rendering to building elevations and boundary walls, for certainty and to safeguard the character and appearance of the area.

Conclusion

14. For the above reasons, I conclude that the appeal should be allowed insofar as it relates to the refurbishment of entrances including new canopies, railings and lettering and resurfacing of the car park, subject to the conditions in the attached schedule. Insofar as it relates to the rendering of the ground floor elevations and boundary walls the appeal is dismissed.

C Victory

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans, excluding the render of the building elevations and boundary walls: Location and Site Plan 1825/2/01; Survey Drawings Front Elevation 1825/2/02; Survey Drawings Side Elevation/ Gloucester Place 1825/2/03; Survey Drawings Side Elevation/Park Road 1825/2/04; Proposed Drawings Site Plan 1825/2/11; Proposed Drawings Front Elevation 1825/2/12; Proposed Drawings Side Elevation/ Gloucester Place 1825/2/13; Proposed Drawings Side Elevation/Park Road 1825/2/14.