



Appeal Decision

Site visit made on 25 June 2019

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th July 2019

Appeal Ref: APP/X5990/W/19/3226576

Russell House, 1-5 Eamont Street and 51-53 Allitsen Road, London NW8 7DD

- 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 Newray (London) Ltd against the decision of City of Westminster Council.
 - The application Ref 18/07595/FULL, dated 3 September 2018, was refused by notice dated 28 January 2019.
 - The development proposed is the erection of third floor infill extension and mansard roof extension to facilitate the provision of 3 self-contained dwelling units.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Following a request from the Council and a local resident, my visit included viewing the site from the rear garden of 55 Allitsen Road. I am satisfied that no party has been prejudiced by my doing so.
3. The Council's reason for refusal includes reference to policies DES1, DES 5, DES 6 and DES 9 of the City of Westminster Unitary Development Plan (2007) (UDP). The Council has since confirmed that these policies were saved in 2010, when the majority of the UDP was replaced by the City of Westminster City Plan (2016). I have made my assessment on this basis.

Main Issue

4. The main issue is the effect of the proposed extension on the character and appearance of the area.

Reasons

5. The appeal site is a corner plot adjacent to the boundary of St John's Wood Conservation Area (CA). The significance of the CA derives from it being the first example of suburban development in inner London and its picturesque character. Building heights locally range from 3 to 5 storeys. There are some commercial uses locally in mixed use buildings, although the area is predominantly residential in character.
6. The site consists of three connected buildings; 51 Allitsen Road, 53 Allitsen Road (No's 51 and 53) and Russell House. No's 51 and 53 are tall three-storey properties which are read as one building with consistent window proportions.

This building is located on the corner. Russell House is also a three-storey building and set slightly away from the corner. It is less grand than its neighbour with shorter floor to ceiling proportions. It is consequently subservient to No's 51 and 53 with the building being of shorter and with smaller proportions. They therefore do not read as one building.

7. Furthermore, the differentiation in scale enables No's 51 and 53 to form a strong landmark feature on the corner. They also make an important contribution to the street being adjacent to the entrance to the CA. The front elevations of Russell House and No's 51 and 53 include some architectural interest and merit. Although not listed or within the conservation area, the buildings make a positive contribution to the character and appearance of the area.
8. The proposal would increase the height of both buildings. This would be achieved through the addition of a floor onto No's 51 and 53 and two floors onto Russell House. The top floor of both would include a mansard roof at the front and a vertical wall at the rear. This would equalise the roof-line of both buildings. Subsequently, this would fundamentally alter the current hierarchy of heights around the corner and the individual contribution they make to the group. The differential in floor to ceiling height principally manifests in window alignment and parapet height. This harm is illustrated well within the imagery of the design and access statement¹. The vertical character would be harmed, but the greater effect would be through the conflation of the group into a single mass.
9. The mansard roof design would be sympathetic to the front elevations, to some extent, being set behind the parapet. However, in combination with its height and width it would appear bulky and obtrusive. Therefore, although its generous height would provide benefits, in terms of access to natural light and ventilation, this would not offset the harm to the character of the area. Furthermore, existing views of the site would be demonstrably altered due to the prominence and scale of the proposal. Also, the brickwork area at third floor level on Russell House is not an especially harmful feature that requires an extension to resolve. Subsequently, whilst not exceeding the scale of its neighbouring building on Eamont Street, the proposal would nevertheless be an unsympathetic design and out of character with the local context.
10. The appeal site is within the setting of a pair of listed buildings; 50 and 52 Charlbert Street (grade II). I have a statutory duty² to consider the impact of the proposal on the setting of the listed buildings. Their significance derives from the decorative brick detailing and institutional character. They are a short distance from the site and its rear elevation is enclosed by adjacent buildings. Therefore, due to the separation distance and existing context, the proposal would have a negligible effect on their setting. Therefore, the proposal would preserve the significance of these listed buildings. Conversely, the proposal would however be significantly harmful to the character and appearance of the area including the adjacent CA.
11. The proposal would therefore be contrary to policies S25 and S28 of the City of Westminster City Plan (2016), which seek development to be sensitive to the setting of the historic environment and for design to incorporate exemplary

¹ Design and Access Statement July 2018

² Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990

standards of inclusive urban design. Furthermore, the proposed extension would not accord with saved policies DES 1, DES 5, DES 6 and DES 9 of the UDP, which include seeking development to be of the highest architectural standard, to not visually dominate existing buildings and to not adversely affect areas of recognised special character. Furthermore, the proposal would fail to comply with the Council's roof design guidance³, which seeks amongst other things for mansard roofs to be kept to a minimum height.

Other Matters

12. The evidence includes revised plans annotated as being for information only. These illustrate the effect of adding a mansard roof to the rear elevation. This indicates that the proposed flat above No's 51 and 53 would have a reduced area. However, this plan is not proposed as a formal revision and has not been subject to public consultation. Furthermore, whilst this would reduce the bulky appearance of the rear elevation, the revision would have no bearing on the harm identified to the street scene. Moreover, the revised scheme is not an established fall-back position and therefore is of limited relevance.
13. I have taken into account concerns raised in representations in regard to impact on living conditions and highway safety, but these matters do not affect my findings on the main issue.

Conclusion

14. The Framework seeks to significantly boost the supply of housing. The proposal would result in the creation of three dwellings in an area with good access to public transport in an urban area. Nevertheless, these benefits are outweighed by the harm identified to the character and appearance of the area. Therefore, for the above reasons and having taken all submitted matters into account, the appeal is dismissed.

Ben Plenty

INSPECTOR

³ Roofs: A Guide to alterations and Extensions to Domestic Buildings, Supplementary Planning Guidance 1995