



Appeal Decision

Site visit made on 08 July 2019 by Darren Ellis MPlan

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2019

Appeal Ref: APP/X5990/W/19/3219889

89a Charlwood Street, London, SW1V 4PB

- 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 Mrs Anne Stanghon against the decision of the City of Westminster Council.
 - The application Ref 18/03974/FULL, dated 24 April 2018, was refused by notice dated 16 October 2018.
 - The development proposed is to install a raised terrace at first floor level with double patio doors, to finish at the end of the current walls with a handrail. The terrace will be inline with the current kitchen floor, with wood facia finish underneath with wooden door access to pipes of building and roof access for maintenance.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. I have had regard to the revised National Planning Policy Framework (NPPF) issued in February 2019 in reaching my decision. In respect of the main issue, the revised NPPF has not changed national policy. Consequently, no party has been prejudiced by the revision.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the property and the Pimlico Conservation Area and consequently whether or not the extension would preserve or enhance the character or appearance of the conservation area.

Reasons for the Recommendation

5. 89 Charlwood Street forms part of a group of Victorian stucco terraced houses and is located within the Pimlico Conservation Area. The appeal relates to 89a Charlwood Street which occupies the upper floors of the property, with the ground and lower ground floor used as a hot food take-away.
-

6. Planning permission was granted in 2017 for the erection of a rear extension and creation of a terrace at first floor level. The development was not constructed in accordance with the approved plans, and an application was subsequently submitted to regularise the development. It is this application that is the subject of this appeal.
7. The appeal property, because of its form and detailed design, positively contributes to the character and appearance of the conservation area. The terrace is to the rear of the property and is not visible from Charlwood Street or the surrounding streets. However, the terrace is subject to private views from the surrounding properties that back on to each other. While the principle of a terrace in this location is acceptable, the materials that have been used, particularly the plywood and artificial grass, are of a quality not appropriate for a building of this character. Moreover, the materials fail to preserve or enhance the character and appearance of the conservation area. Whilst the proposal is limited in terms of its scale, harmful incremental changes will erode the character and appearance of the terrace and thereby its significance in the conservation area.
8. Consequently, I find that harm is caused to the appearance of the property and that the development would neither preserve nor enhance the character or appearance of the conservation area, although given that the proposal relates to a small part of a wider area this harm is less than substantial. Nonetheless, I attach considerable importance and weight to that harm, and in applying the test set out in paragraph 196 of the National Planning Policy Framework ('the Framework'), I note that the benefits for the terrace are private. Accordingly, I find that there would be no public benefit to offset the identified harm.
9. I note that the appellant is prepared to paint the plywood black to mitigate the visual impact, however plywood is not a high-quality material and therefore is not an appropriate material for the conservation area. I also note that the appellant is prepared to provide a lead upstand, however no details have been submitted regarding this.
10. I conclude that the terrace is an inappropriate development in the Pimlico Conservation Area and contrary to Policies S25 and S28 of the Westminster City Plan and Policies DES1, DES5, DES9 and paragraphs 10.108 to 10.128 of the City of Westminster Unitary Development Plan, and paragraphs 193 to 196 of the Framework, which all seek in various ways to preserve and improve the character and appearance of the conservation area by requiring high quality design and the conservation of heritage assets.
11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR