
Appeal Decision

Site visit made on 27 August 2019 by Hilary Senior BA(Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 8 October 2019

Appeal Ref: APP/X5990/W/19/3230191

29 Abercorn Place, London, NW8 9DU

- 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 WBD Planning Ltd against the decision of City of Westminster Council.
 - The application Ref 18/09417/FULL, dated 29 October 2018, was refused by notice dated 25 January 2019.
 - The development proposed is removal of the existing roof structure and re-development at this level to provide 3x1 bed dwellings.
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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.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of 29 Abercorn Place and whether the proposal would preserve or enhance the character or appearance of the St. John's Wood Conservation Area.
 - the effect of the proposed parking arrangement on the living conditions of existing residents.

Reasons

Character and appearance

4. 29 Abercorn Place a large nine-storey, H shaped building with approximately 180 one and two-bedroom apartments. The lower two floors and higher floor are sandstone blocks, with red brick on the intervening floors. Above the higher stone level is a tile hung mansard roof. The windows and other design features create a regular pattern to the building.
5. The site lies within the St John's Wood Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The significance of the

Conservation Area lies in part in the way the diverse range of buildings and spaces it contains reflects the evolution and growth of this part of the city as well as in the quality of the architecture.

6. The CA Audit St John's Wood (2008), which indicates that 29 Abercorn Place makes a neutral contribution to the conservation area, recognises the importance of roofscapes to the character or appearance of the CA, in particular those 20th century developments where prominent mansard roofs are an important element of the original design. This building is identified as one where alterations to the roof would not normally be acceptable.
7. The proposal seeks to remove the service building from the roof and replace it with a block containing three one-bedroom flats. This block would be connected with the stair access via a glazed corridor and clad in copper. The proposed extension would have a curved form. It would be set back from the roof edge but would be visible from ground level at various locations.
8. The existing service block, which sits on top of the mansard roof, is a small structure with a simple, flat roofed form and limited fenestration, constructed in a contrasting and unassuming material. It reads as a functional, subservient, element of the building. As such it does not detract from the form or design of the original building, which is a complete composition. In contrast, the proposed roof extension would have a significant bulk and massing, which, compounded by the proposed external materials, would be a considerably more assertive feature on top of the mansard roof.
9. The impact of the proposed development on the host building, would be exacerbated by its detailed design. The proposed flats would have large windows which would be of a different design and positioned out of alignment with those below. Whilst I understand that the windows have been designed to avoid overlooking of the existing flats and are considered by the appellant to be modern interpretation of the existing, I am unconvinced that they respond well to the existing building. Furthermore, the curved form of the extension would be incongruous with the angular design of the host building.
10. I acknowledge that because of the height of the building, the roof extension would only be visible from certain vantage points, although it would be clearly apparent from Abercorn Place. Nevertheless, for the above reasons the proposal would be a discordant feature on the building that would detract from its overall architectural composition. In addition, adding to the existing height and bulk of the building, in an area where surrounding buildings are of a smaller scale would only serve to increase its dominance. As such the proposal would detract from the appearance of the building and would neither preserve nor enhance the character or appearance of the Conservation Area.
11. For these reasons, the proposal would conflict with Policies S25- Heritage and S28- Design, of the Westminster City Plan (2016) and Policies DES1- Principles of Urban Design and Conservation, DES6- Roof Level Alterations and Extensions and DES9- Conservation Areas, of the Unitary Development Plan (2007) which together seek to ensure, amongst other things, that development conserves heritages assets, is of the highest quality design and reflects the character of existing buildings.
12. Given that the proposal relates to only one part of the Conservation Area, the harm arising from the proposal, in terms of the approach in the National

Planning Policy Framework, would be less than substantial. In these circumstances the Framework advises at paragraph 195 that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

13. The public benefits of the proposal would be in the provision of an additional three units of accommodation in a sustainable location close to public transport routes and local services. There is no reason to suggest that the flats would not provide a satisfactory standard of accommodation as they exceed the recommended minimum size standards. However, the benefits arising from the development are limited by its scale and would be insufficient to outweigh the harm to the character and appearance of 29 Abercorn Place and the character or appearance of St John's Wood CA.

Car parking

14. There are a limited number of parking spaces available for rent for residents of Abercorn Place and at the time of the site visit only one parking space was available. Policy TRANS 23 of the City of Westminster Unitary Development Plan (2007) requires additional parking for new residential development if the day and overnight parking levels exceed 80%. This is the case for daytime parking in the vicinity of the site, although the night time parking levels are below the threshold. Even though the area has a PTAL score of 5, it also has a high level of car ownership and demand for on-street parking is very high. This is supported by anecdotal evidence from third parties who indicate that there is a high demand for parking space in the area.
15. Whilst the appellant indicates that there is a parking space available to rent, there is no mechanism to ensure that this would be made available to the prospective residents. In addition, given that that space is also available to existing residents, its provision would not mitigate the increased demand for spaces generated by the proposal.
16. Consequently, the proposal would result in inconvenience to the existing residents who may be forced to find parking spaces further from their properties, as such adversely affecting their living conditions. For these reasons the proposal would conflict with Policies STRA 25 and TRANS 23 of the City of Westminster Unitary Development Plan (2007) which seek to ensure sufficient off-street parking is available for new developments.

Other matters

17. The appellant refers to other properties which have had approvals for extensions to the roof. These are not directly comparable to the appeal proposal, in particular 33 Grove Gardens is not in the Conservation Area and not therefore subject to the same requirements of the Act and advice in Paragraph 193 of the Framework. In addition, the setting of that building amongst other mansion blocks, and its form and design, does not appear to be directly comparable to the appeal proposal which I have treated on its merits.
18. There is an extant permission for the conversion of the existing plant room to a self-contained flat that the appellant has indicated would be constructed should this appeal fail. The details of this permission are not before me. Nevertheless, although this is a material consideration, it does not outweigh the harm identified to the character or appearance to the CA of the current proposal.

Conclusion and Recommendation

19. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

Susan Ashworth

INSPECTOR