
Appeal Decision

Site visit made on 5 November 2019

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday, 27 November 2019

Appeal Ref: APP/X5990/W/19/3235892

11 Cambridge Street, London SW1V 4PP

- 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 Miss Patricia Arteaga against the decision of City of Westminster Council.
 - The application Ref 19/03413/FULL, dated 3 May 2019, was refused by notice dated 26 June 2019.
 - The development proposed is the erection of extension at first floor level to south west elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the host property and whether it would preserve or enhance that of the Pimlico Conservation Area (CA).

Reasons

3. The appeal site comprises of a three-storey building located on a corner position with elevations facing both Cambridge Street and Hugh Street. The residential unit occupies the first and second floor. It is situated within the Pimlico CA where it is primarily characterised by squares and terraces from the mid-19th century and has a particularly distinctive diagonal grid street pattern. The appeal building is identified in the Pimlico Conservation Area Audit (PCAA), 2006 as an unlisted building of merit. These properties are of particular value to the character and appearance of the CA and the PCAA sets out that unsympathetic alterations will be resisted.
4. The proposed development would create a brick extension at first floor level to the balcony serving the residential unit creating a garden room/dining area. It would enclose almost half of the roof terrace facing Cambridge Street and increase the built form at first floor level resulting in a prominent and incongruous addition to one of the principal elevations. Furthermore, the use of the brick materials results in its design and appearance being bulky and it appears at odds with the distinctively stepped element of the host building, detracting from its character and appearance.

5. Although materials and some detailing may reflect that of the existing building the high-level positioning of the extension would erode the characteristics of the terraces and prevailing architectural design of buildings within the wider CA. Whilst it would be set back from the elevation of Hugh Street, it would be seen from distance and from a number of angles within the street scene and it would appear obtrusive and alien to its surroundings, thus degrading the character and appearance of the immediate and wider CA.
6. My attention has been drawn to the previous appeal decision¹ and that these proposals have been revised to address concerns. Whilst that may be the case the proposal, in terms of its design and materials are not directly comparable with those which apply in this appeal. I have, in any case, reached my own conclusions on the appeal proposal on the basis of the evidence before me.
7. I have a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. For the reasons given, the proposed development would harm the character and appearance of the area and fail to preserve that of the CA. Whilst the harm would be less than substantial, I must nonetheless give this considerable importance and weight in the context of a duty to favour preservation or enhancement.
8. Paragraph 196 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The appellant has put forward the argument that the proposal would increase amenity space, reduce noise from the train line, create an attractive family unit and increase gross internal area (GIA). As such in my view these would only benefit occupiers of the proposal and there would be little public benefit to outweigh the harm found to the significance of the CA.
9. I conclude that the proposed development would harm the character and appearance of the host building and fails to preserve or enhance the Pimlico CA. It would be contrary to Saved Policies DES1, DES5 and DES9 of the Westminster Unitary Development Plan (2007) and Policies S25 and S28 of the Westminster City Plan (2016) which taken together seek good quality inclusive design and to conserve, enhance and protect heritage assets.

Other Matters

10. The site is located opposite a Grade II Listed Building, Greyhound Public House. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
11. The appellant has advised in determining the application, the Council have not concluded that the proposal would cause harm to the nearby listed building. Based on my site visit, which also included a consideration of the separation distance between the appeal site and the listed building, I have no reason to

¹ APP/X5990/W/16/3143543

disagree in respect of this matter and the proposal would not result in any harm to the significance of the heritage asset from the proposal as a development within the setting of a Listed Building. However, this does not outweigh the other harm I have found.

Conclusion

12. For the reasons given above and taking all matters into consideration the appeal should be dismissed.

K A Taylor

INSPECTOR