



Appeal Decision

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 June 2020

Appeal Ref: APP/X5990/D/20/3245772
8, Ponsonby Terrace, London SW1P 4QA

- 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 Jane Hallsall against the decision of City of Westminster Council.
 - The application Ref 19/06799/FULL, dated 30 August 2019, was refused by notice dated 31 October 2019.
 - The development proposed was described as a loft conversion to create new bedroom.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In response to travel restrictions currently in place due to the COVID-19 pandemic I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available. Both the appellant and the Council have agreed to the appeal proceeding on this basis.
3. The description of development differs between the planning application form and the appeal form. The latter describes the development as 'alterations to roof pitch and installation of four roof lights in connection with the loft conversion to provide habitable accommodation', and this correlates with what is shown on the submitted drawings and specified in the decision notice. I am satisfied that the revised description accords with what was formally publicised as part of the Council's decision and that the appeal can proceed on that basis.

Main Issue

4. The main issue is whether or not the proposed roof extension would preserve or enhance the character or appearance of the Millbank Conservation Area, with particular regard to height, form and materials.

Reasons

5. The appeal site is located within the Millbank Conservation Area. The significance of this part of the Conservation Area is both architecturally and historically derived, given the association with the former Millbank Penitentiary and the development of Pimlico. The appeal site is a mid-terraced, 3 storey, above-basement town house. Key characteristics that positively contribute to

this Conservation Area's character and appearance are set out in the 'Millbank Conservation Area Audit Supplementary Planning Guidance (adopted January 2005)' and include the appeal property's architectural qualities in terms of its uniform appearance by virtue of its roofline and materials. This heritage audit recognises the group value of the wider terrace and, although not listed, this building group is defined as comprising 'buildings of merit'.

6. This heritage audit confirms that the appeal site is located upon a secondary route within the Conservation Area, from which important locally defined views can be enjoyed. I note the appellant's claim that the existing roof planes are largely obscured from street level. Nonetheless, the appeal proposal would still be visible both front and rear, from upper floor vantage points and within the context of the Millbank Conservation Area. This is an important means by which the significance of the Conservation Area can be interpreted and enjoyed.
7. The existing roof of the appeal property is intact in terms of its height, historic form and traditional natural slate roof covering. As such, I find that it positively contributes to the unity of the area's wider roofscape in terms of historic architectural integrity and aesthetics. The evidence before me confirms that roofscapes, including that of Ponsonby Terrace are important features within this Conservation Area which contribute positively to the character and appearance, and significance of this designated heritage asset. As the appeal site contributes positively to the local roofscape, any harm to it would translate to that important collective feature.
8. The appeal proposal would result in an increase in the overall roof height, the steepening of the angle of the rear roof plane and the loss of the single ridgeline. These constitute significant changes to key characteristics of the appeal property's original historic roof design in terms of height and form. Furthermore, the introduction of a rubber covered, flat top section of roof would be alien to the historic form and materials of the host building. I find that collectively these changes would be discordant with the historic architectural integrity of the host property and the wider terrace of 'buildings of merit' within which it is located. The appeal proposal would unduly disturb the prevailing unity and uniformity credentials which are evident to an extent that would be harmful to their character and appearance.
9. The main parties have confirmed that planning permission Ref 9/09773/FULL was granted on 28 February 2020 for another scheme to enable the conversion of the appeal property's loft. Similar to the appeal proposal, the consented scheme would alter the existing front and rear roof planes to facilitate the raising of the ridge to a comparable height to that of the appeal proposal. However, it is evident that unlike the appeal proposal, the consented scheme would maintain its traditional form in terms of a dual roof plane and single ridgeline. Furthermore, the proposed roof covering would accord with that of the existing building. In light of these differences, I conclude that the consented scheme is materially different to the appeal proposal and would not present equivalent or greater harm to that which would be caused by the latter. Therefore, that consent does not serve to justify the imposition of the harm which I have identified.
10. For the reasons given earlier, I find that the appellant's claim regarding the degree of visibility from street level does not eliminate, reduce nor justify the harm that I have identified. My attention has also been drawn to similar

developments within the vicinity of the site which, it is claimed, provide a varied roofscape of similar effect to the appeal proposal. However, the appeal proposal forms part of the roofscape of a different street to that cited. The harm that I have identified would further erode important credentials of the roofscape of Ponsonby Terrace which, as evidenced in the heritage audit, contributes positively to the character and appearance of the wider area. Therefore, the existence of these examples does not minimise, distract nor justify the imposition of this harm.

11. For the above reasons, I find that the appeal proposal would be harmful to the character and appearance of the Millbank Conservation Area, with particular regard to height, form and materials of the proposed roof extension.
12. I find the harm that would arise from the appeal proposal would be less than substantial. I have noted the appellant's personal circumstances. However, as presented, I am unconvinced that these constitute a public benefit that would justify the imposition of the identified harm. From the evidence before me, I have not identified any further public benefits that would outweigh this harm. Therefore, the proposal is contrary to paragraph 196 of the National Planning Policy Framework.
13. Although the guidance set out in 'Roofs: A Guide To Alterations and Extensions On Domestic Buildings (2004)' acknowledges the need to alter existing buildings to create additional floorspace, it clearly states that roof alterations should preserve and enhance the character and appearance of buildings and areas within the City and sets out how this can be achieved. The proposals, by their nature, would not reflect this guidance in terms of height, form and materials.
14. Moreover, given the harm identified, I find that the appeal proposal would not accord with Policies DES 1, DES 5, DES 6 and DES 9 of the 'City of Westminster Unitary Development Plan (January 2007)'.
15. With specific reference to Conservation Areas, Policy DES 9 requires the use of traditional, prevalent materials. Development that would adversely affect the area's recognised special character or appearance will not be permitted. Policy DES 1 sets out principles of urban design and conservation to secure amongst things, use of indigenous materials and maintenance of local character.
16. In addition, Policy DES 5 sets out criteria to secure appropriate alterations and extensions. Proposals may be supported where, amongst other things, they are confined to the rear; their design reflects the style and details of the existing building and the use of external materials is consistent with it. Policy DES 6 seeks to manage roof level alterations and extensions by ensuring, amongst other things, that proposals do not adversely affect the architectural character or unity of a building or building group or the form or profile of a building where it contributes to the local skyline. This policy also seeks to safeguard public and private views, including those from upper levels, against extensions that would be visually intrusive or unsightly and safeguards historically significant roof forms and coverings that would be otherwise lost.
17. Furthermore, I find that the identified harm would be contrary to Policies S25 and S28 of the 'Revision to Westminster City Plan consolidated with all changes since November 2013' (November 2016). Policy S25 seeks to conserve the

area's heritage assets, including Conservation Areas. I find that Policy S28 is also relevant insofar as it requires developments to incorporate exemplary standards of sustainable design and architecture and supports imaginative, modern architecture provided that it respects the area's heritage and local distinctiveness.

18. I have found that the proposal would be harmful to the character and appearance of the Millbank Conservation Area. Furthermore, it would neither preserve or enhance the character or appearance of the Conservation Area, with particular regard to height, form and materials. This is contrary to the expectations of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the development plan when taken as a whole.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

C Dillon

INSPECTOR