
Appeal Decision

Site visit made on 18 August 2020

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2020

Appeal Ref: APP/X5990/W/20/3248246

Flat 1, 9 Green Street, London W1K 6RF

- 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 Ms Jacqueline Hurst against the decision of City of Westminster Council.
 - The application Ref 19/09142/FULL, dated 25 November 2019, was refused by notice dated 31 December 2019.
 - The development proposed is replacement of existing single glazed timber sash windows in front lightwell for slimline double glazed timber sash windows and the installation of security bars to windows externally.
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Decision

1. The appeal is allowed and planning permission is granted for replacement of existing single glazed timber sash windows in front lightwell for slimline double glazed timber sash windows and the installation of security bars to windows externally at Flat 1, 9 Green Street, London W1K 6RF in accordance with the terms of the application, Ref 19/09142/FULL, dated 25 November 2019, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed external security bars on the character and appearance of the host property and the Mayfair Conservation Area (MCA).

Reasons

3. The appeal site relates to basement windows in a finely detailed and elegant unlisted terraced building of merit, within a residential part of the MCA. The basement windows prevalent in the area are set behind railings of uniform appearance and are visually subordinate to the grander, elevated ground floor frontage, nonetheless contributing positively to the significance of the WCA. The basements at Nos 5, 6, 7, 8 and 10 Green Street have external security bars and, from my observations, so do many others in the area.
4. The effect of the proposal would be to introduce similar bars at the appeal site, specifically described as painted metal security bars to match others in Green Street. Although the proposed bars would be visible from the street, they would not be a prominent feature in the street scene, given their low position at pavement level and location behind street railings. Moreover, the proposal would be seen in the context of the neighbouring properties, where similar

basement security bars have become part of the character of the area, such that the visual impact would be comparable with neighbouring properties.

5. The Council confirm that the existing security bars at No 5 do not require planning permission. The rest are stated to be either historic or unauthorised, but no further breakdown or analysis is provided, nor is there any indication of any action by the Council to remedy unauthorised works. I am therefore unable to conclude that the prevalence of these existing security bars is not permanent, notwithstanding the great weight I attach to the conservation of the WCA. Consequently, in paying special attention to the desirability of preserving or enhancing the character and appearance of the conservation area, the existing security bars at basement level in this locality are so prevalent that the appeal proposal would have no more than a neutral effect. Overall, the proposal would not harm the significance of the WCA, even though alternative security measures could be installed internally.
6. In conclusion, the proposal does not have a significant adverse effect on the character and appearance of the host property and the MCA. The proposal complies with policies S25 and S28 of the Westminster City Plan (2016), and saved policies DES1, DES5, and DES9 of the City of Westminster Unitary Development Plan (2007), as well as the Mayfair Neighbourhood Plan and the National Planning Policy Framework. These together require historic buildings to be upgraded sensitively and preserve or enhance the character or appearance of conservation areas.

Conditions and conclusion

7. For certainty I have imposed a condition detailing the approved plans. A condition requiring details of materials is necessary to protect the character and appearance of the host property and conservation area. There is no evidence to suggest that a development of this scale would harm living conditions of neighbouring occupiers, therefore the suggested condition limiting hours of construction is not reasonable or necessary. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Patrick Hanna

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: GS-01 (location plan); GS-02 (site plan); GS-03 (existing and proposed front lightwell) and GS-04 (window details).
- 3) The windows hereby permitted shall be constructed and finished in materials to match existing windows and as described on the application form. The external security bars hereby permitted shall be constructed and finished in materials to match existing security bars in Green Street and as described on the approved drawings.