



Appeal Decisions

Site visit made on 17 August 2020

by G D Jones BSc(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2020

Appeal A - Ref: APP/X5990/Y/20/3246485

77 Randolph Avenue, London W9 1DW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Ms Lauren Shein against the decision of City of Westminster Council.
 - The application Ref 19/09054/LBC, dated 21 November 2019, was refused by notice dated 2 January 2020.
 - The works proposed are described as *rear extension onto terrace. Adding rooflights to the rear. Internal remodelling.*
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Appeal B - Ref: APP/X5990/W/20/3246483

77 Randolph Avenue, London W9 1DW

- 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 Lauren Shein against the decision of City of Westminster Council.
 - The application Ref 19/09053/FULL, dated 21 November 2019, was refused by notice dated 2 January 2020.
 - The development proposed is described as *rear extension onto terrace. Adding rooflights to the rear. Internal remodelling.*
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matter

3. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is the effect that the proposed works and development would have on 63-79 Randolph Avenue as a Grade II listed building and on the character or appearance of the Maida Vale Conservation Area.

Reasons

5. The appeal property is a flat located largely within the mansard roof space of a former house located within a terrace of similar properties, 63-79 Randolph

- Avenue. The terrace is a Grade II listed building (the LB). The listing refers to its group value. It lies within the Maida Vale Conservation Area (the MVCA).
6. The area in the vicinity of the appeal site is largely residential, predominantly featuring imposing terraced rows finished with stucco, arranged along tree lined avenues and crescents, served by large private communal gardens to the rear. These features and characteristics contribute significantly to the character and appearance of the MVCA and it is principally from these that its significance derives.
 7. The LB dates from the mid-19th Century. Its significance and special interest stem primarily from its architectural quality and from it being a good example of the terraces that are typical of the MVCA. At its roof level to the rear, in spite of the range of alterations to the various properties, there remains a strong visual and architectural rhythm, including at No 77. This is derived in large part from the reasonably ordered form and appearance of the balcony terraces, the openings and the various projections from the profile of the main mansard roof form. Notwithstanding the significant height difference and the screening effect of mature trees, these features and characteristics are evident from within the private communal gardens to the rear of the LB.
 8. It is proposed to erect an extension that would project from the mansard roof on to the balcony terrace replacing a substantially smaller structure that currently connects the flat and its balcony. The extension would also facilitate the proposed internal works, including the formation of an office and WC in the roof space above the existing flat, which would be served by two conservation rooflights to the rear. The extension would be very modest in scale compared to the mass of the host terrace. Nevertheless, when viewed against the form and profile of the mansard roof and in the context of the other properties at this level within the LB, its presence would be pronounced.
 9. I recognise that there are other alterations and extensions to neighbouring properties at roof level, including to No 79, which does not appear to have any form of planning permission or consent, and a much more substantial extension to No 75, which appears to have been permitted in the mid-1980s. Nonetheless, both the proposed extension and its existing neighbour, at No 75, would appear as significantly marked exceptions within their wider context to the point that the proposed development would disrupt the overall rhythm of the greater roofscape to the detriment of the special interest of the LB at large. The harm to the LB, as a residential terrace that is typical of the historic development of the area, would also detrimentally affect the significance of the MVCA.
 10. In making these assessments I have considered all of the evidence, including the potential use of sympathetic facing materials and that planning permission and consent has now been granted for development at the appeal property, which includes a smaller iteration of the proposed extension. While the differences in the relative dimensions are reasonably small, the overall visual effect of the appeal extension relative to that 'fallback' option would be significant, in part because the proposed extension would project beyond the floorplan of the mansard roof. Consequently, in this respect, the permitted alternative scheme carries only limited weight.
 11. The resulting harm to the LB's and to the MVCA's significance would both be less than substantial in the terms of para 196 of the National Planning Policy

Framework (the Framework). Given the statutory duties outlined above regarding listed buildings and conservation areas, the identified harm to the two heritage assets each carry substantial weight against the proposed development, such that they comfortably outweigh the relatively modest public benefits, including the enhancements to the flat in terms of improving the City's stock of residential accommodation. While not determinative, I am also mindful that comparable benefits would be likely to be delivered were the 'fallback' scheme to be implemented.

12. Therefore, the proposal would fail to preserve the special historic interest of the Grade II listed building and the character and appearance of the MVCA, thus failing to satisfy the requirements of the Act and para 193 of the Framework. It would also conflict with Policies S25 (Heritage) and S28 (Design) of the Westminster City Plan, November 2016, and Policies DES 1 (Urban Design and Conservation), DES 5 (Alterations and Extensions), DES 6 (Roof Extensions), and DES 10 (A) (Listed Buildings) of the City of Westminster Unitary Development Plan, January 2007, as well as with the Council's supplementary planning guidance *Roofs: A Guide to Extension and Alterations on Domestic Buildings* and *Repairs and Alterations to Listed Buildings*.

Conclusions

13. For the above reasons, I conclude that both appeals should be dismissed.

G D Jones

INSPECTOR