
Appeal Decision

Site visit made on 27 November 2020

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020.

Appeal Ref: APP/X5990/D/20/3258171

25 Guildhouse Street, London SW1V 1JG

- 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 Mr John Jackson against the decision of the Council of the London Borough of Westminster.
 - The application Ref 20/03056/FUL, dated 14 May 2020, was refused by notice dated 10 July 2020.
 - The development proposed is new third floor roof extension to create additional bedroom.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are as follows:
 - The effect of the proposals on the character of the building and wider area;
 - The effect of the proposals on the setting of the Pimlico Conservation Area, and
 - The effect of the proposals on the living conditions of neighbours to the rear of the property, particularly those living at No.28.

Reasons

Character and Appearance

3. No.25 Guildhouse Street forms part of a contemporary (c.1990s) terraced development of two storey townhouses which sit adjacent to the Pimlico Conservation Area boundary. Their design and character are contemporary, uniform, simple and modest. The terrace is set at first floor level as part of a much larger development and accessed via symmetrical metal staircases via security gates on Guildhouse Street. The roofline of the terrace of No's 20-27 is a fairly shallow and mono-pitched, and it slopes up to the rear of each property forming a low wall to the external space serving the dwellings to the rear, at No 28 Guildhouse Street.
4. I note the appellant's desire to increase the size of the dwelling to accommodate a growing family and I have given this some weight in the determination of this appeal.

5. The proposals would result in an increase to the height of the existing roof of No.25 substantially in order to accommodate a third bedroom. The scheme would have a raised seam zinc roof, flanked by a raised parapet wall. The front elevation would have a large, frameless, panoramic dormer window.
6. Policy S28 (Design) of the Westminster City Plan Revision (2016) (CP) seeks sustainable and inclusive architectural design that must also respect the heritage and local distinctiveness of the area.
7. Further, saved Policy DES1 (Principles of Urban Design and Conservation) supports development that would maintain the character, urban grain, scale and hierarchy of existing buildings and Policy DES6 (Roof Level Alterations and Extensions) of the Westminster Unitary Development Plan (2007) (UDP) is generally supportive of the principle of roof extensions, provided they do not *'adversely affect either the architectural character or unity of a building or group of buildings'*.
8. It appears to me that whilst the proposals have been carefully considered by the appellants, the proposed development would only extend one of the dwellings in the terrace, resulting in an addition which, in my view, would look out of place within the street scene, leaving the terrace lacking in coherence.
9. I consider this would be harmful to the character and appearance of the area contrary to policy S28 of the CP and saved policies DES1 and DES6 of the UDP.

Setting of Pimlico Conservation Area

10. The appeal site overlooks properties that fall within the Pimlico Conservation Area (CA) on the other side of Guildhouse Street and it therefore falls within its setting. The CA is characterised by C19th squares and terraces of brick which are generally of two storeys with detailing such as door arches and timber sash windows. The uniformity of the squares and streets and historic dwellings provide a strong context for the wider area.
11. Policy S25 (Heritage) of the CP seeks to conserve all of its designated and non-designated heritage assets. I am also aware that Paragraph 200 of the Framework states that decision-takers should look for opportunities for new development within the setting of heritage assets that would better reveal their significance.
12. Saved policy DES9 (Conservation Areas) of the UDP states that development would not be supported within the setting of a CA which would have a visibly adverse effect on the areas recognised special character or appearance. Given the site can be viewed from various points within the CA, and in light of the harm that I have already found to the character and appearance of the area, it follows that I do not consider the appeal proposals would improve (preserve or enhance) the setting of the CA.
13. I therefore find the proposals to be in conflict with policies S25 and S28 and DES 1 and DES 9, as well as paragraph 200 of the Framework.

Living Conditions

14. Refusal Reasons 3 and 4 (RR3 and RR4) set out the council's concerns over access to daylight and sunlight as well as outlook for the residents of No28.

15. Saved Policy ENV13 (Protecting Amenities, Daylight and Sunlight and Environmental Quality) of the UDP supports development that enhances the environment of surrounding properties and seeks to resist proposals which result in a '*material loss of daylight/sunlight, particularly to existing dwellings*'.
16. The proposed development would add bulk and height to the roof, which would clearly have an impact on the apartments within No.28, some of which overlook the wall to the rear of the appeal site which the current mono-pitch roof adjoins. From the drawings and the council officer's report, this area appears to function as a terrace.
17. The Council has stated that they require a daylight and sunlight assessment to be undertaken before they can reach a conclusion on this aspect. In light of the hipped roof arrangement proposed, I can see that the appellant has attempted to mitigate any harm to the users of the terrace in front of No.28, however without evidence to demonstrate there would be no harm to living conditions in this regard, I am unable to conclude that Policy ENV13 is not offended.
18. Policy S29 (Health, Safety and Well-Being) of the CP states that the council will resist development that results in any unacceptable material loss of residential amenity.
19. RR4 sets out that the occupiers of 28 Guildhouse Street may feel too '*shut in*'. It is evident to me from the plans that the view from the terrace serving those occupiers would be somewhat diminished and the sense of enclosure would increase. I note that there were no objections from neighbouring occupiers in this respect and this is not a reason to refuse planning permission when considered in isolation, I nevertheless find it contrary to policy S29 of the CP and ENV13 of the UDP.

Other Matters

20. I note the support received for the proposals from third parties and whilst I am sympathetic to the appellants requirements, I do not consider such support from third parties is capable of outweighing the harm I have identified.

Conclusions

21. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

Sian Griffiths

INSPECTOR