



Appeal Decision

Site visit made on 27 April 2021

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2021

Appeal Ref: APP/X5990/W/20/3261251

8A and 9B Violet Hill, St John's Wood, London, NW8 9EB

- 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 Nick Christoforou against the decision of City of Westminster Council.
 - The application Ref 20/04660/FULL, dated 16 July 2020, was refused by notice dated 22 September 2020.
 - The development proposed is change of use to a single family dwelling, with second floor rear extension, roof structure, complete with terrace, and all associated works.
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Decision

1. The appeal is allowed and planning permission is granted for change of use to a single family dwelling, with second floor rear extension, roof structure, complete with terrace, and all associated works at 8A and 9B Violet Hill, St John's Wood, London, NW8 9EB in accordance with the terms of the application
Ref: 20/04660/FULL dated 16 July 2020 and in accordance with the conditions set out in the attached schedule.

Procedural Matter

2. Whilst the Council's delegated report includes consideration of various matters in respect of the planning application the subject of this appeal, the Council has confirmed that its objections "primarily relate to design and conservation matters." Indeed, in refusing the planning application, the Council gave one reason for refusal – that the proposed development "would harm the appearance of the building and fail to maintain or improve...the character and appearance of the St John's Wood Conservation Area" and hence the main issue below.

Main Issue

3. The main issue in this case is whether the proposed development would conserve or enhance the character and appearance of the St John's Wood Conservation Area.

Reasons

4. The appeal property is an unlisted three storey mid-terrace building located within a mixed use, but largely residential area within the St John's Wood Conservation Area.
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5. St John's Wood Conservation Area is characterised in this location by the presence of attractive period properties along tree-lined streets. The original features of properties have been largely retained, affording a strong sense of place and history. Further, the regular presence of buildings with similar fenestration and architectural detailing, provides an attractive sense of uniformity and rhythm.
6. Whilst the appeal property forms part of a three storey terrace, it effectively appears as a somewhat distinctive property that serves to connect two different built forms. It is the same height as the adjoining terrace to the north west and has the same predominantly brick façade, second storey window and parapet line. However, the appeal property is narrower than the properties that make up the adjoining terrace to the north west and its first storey fenestration is different, albeit this is not shown correctly on submitted drawing number 32111-201B.
7. The façade of the appeal property is taller than the adjoining terrace to the south east. However, the appeal property has a flat roof, whereas the adjoining terrace to the south east has a hipped roof. Consequently, the adjoining terrace to the south east is taller. Also, the façade of this adjoining terrace is markedly different in appearance, being white in colour with entirely different fenestration and with a notably higher second storey than that of the appeal property.
8. During my site visit, I observed the appeal property at roof level and from the rear. The roof level is partly separated from other properties in the terrace to the north west by a tall wall; and this, together with the presence of brick chimneys and the hipped roof of the adjoining terrace to the south east, results in the presence of significant built forms along the top of the terrace.
9. Further to the above, when seen from the rear, the appeal property and its adjoining neighbours appear far from uniform, but rather, they present a very varied form and character, including rear extensions, roof terraces and balconies.
10. The ground floor of the appeal property faces onto Violet Hill and appears markedly different to and somewhat out of character with, the more regular ground floor frontages of adjoining properties to either side. The fenestration fails to match that of the ground floor properties to the north west and the appeal property lacks the attractive cornices, pilasters and railings common to these neighbouring properties. As a consequence, the ground floor of the appeal property appears incongruous.
11. The proposed development would alter fenestration and introduce features, including railings, cornices and pilasters and a band feature which I find would combine to result in the appeal property appearing considerably more in keeping with adjoining properties to the north west. This would enhance Violet Hill's attractive sense of uniformity and rhythm.
12. The proposal would add a small roof extension. This would be set well back from the front of the building such that it would be barely discernible from street level and would be largely hidden from wider views by the hipped roof of the adjoining terrace. Rather than appear cumbersome, prominent or awkward, as suggested by the Council, I consider that the roof extension would appear small, unobtrusive and in keeping with the notably varied form and appearance

of the rear of buildings along Violet Hill and that it would effectively nestle alongside the brick wall on top of the appeal property.

13. Consequently, the mansard element would not project significantly above the general terrace roof line nor disturb the harmonious qualities within the building or terrace group. I also note that there are other small roof extensions along Violet Hill, close to the appeal property, including one with a mansard element and that the proposal would share a number of qualities with these.
14. Taking all of the above into account, I find that the proposed development would conserve the character and appearance of the St John's Wood Conservation Area. It would not be contrary to the National Planning Policy Framework, to Westminster City Plan (2016) Policies S25 and S28, to Westminster Unitary Development Plan Policies (2007) DES1, DES5, DES6 and DES9, or to the Council's Supplementary Planning Guidance Roofs: A Guide to Alterations and Extensions to Domestic Buildings (2004), which together amongst other things, seek to protect local character.

Conditions

15. I have considered the conditions suggested by the Council against the tests set out in Paragraph 55 of the Framework. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning.
16. A condition requiring materials to match those of the existing building is necessary to protect the character and appearance of the host property and wider area. A condition preventing the creation of new openings without a subsequent grant of planning permission is required in the interests of residential amenity and local character. A condition requiring a waste management plan is necessary to protect the environment.

Conclusion

17. For the reasons given above, the appeal succeeds.

N McGurk

INSPECTOR

**Schedule of Conditions attached to
Appeal Decision APP/X5990/W/20/3261251
8A and 9B Violet Hill, St John's Wood, London, NW8 9EB**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 32111-102B; 32111-103C; 32111-202C; 32111-302B; and 32111-401C.

- 3) The materials to be used in the external surfaces of the building shall match those used in the existing building.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or other openings (other than those shown on the approved plans) shall be inserted in the outside walls of the building, unless permitted by way of a subsequent grant of planning permission.
- 5) Before the first occupation of the development hereby permitted, a waste management plan detailing how waste will be stored on the site and how materials for recycling will be stored separately must be submitted to and approved in writing by the Local Planning Authority.