



Appeal Decision

Site Visit made on 13 April 2021 by Miss Sarah Witherley

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2021

Appeal Ref: APP/X5990/D/20/3260196

28 Caroline Place, LONDON, W2 4AN

- 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 Yiannakis against the decision of City of Westminster Council.
 - The application Ref 20/02481/FULL, dated 14 April 2020, was refused by notice dated 6 July 2020.
 - The development proposed is a single-storey Ground Floor, Courtyard Infill Side Elevation Extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a single-storey Ground Floor, Courtyard Infill Side Elevation Extension at 28 Caroline Place, LONDON, W2 4AN in accordance with the terms of the application, Ref 20/02481/FULL, dated 15 April 2020, and the plans submitted with it, subject to the following 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; AC/JY/19/20006, AC/JY/19/20008, AC/JY/19/20003, AC/JY/19/20001, AC/JY/19/20005, AC/JY/19/20004, AC/JY/19/20002, AC/JY/19/20007, AC/JY/19/20009, AC/JY/20/200012, AC/JY/20/200010, AC/JY/20/200013, AC/JY/20/200014, AC/JY/20/20008, AC/JY/20/200015, AC/JY/20/200029, AC/JY/20/200022, AC/JY/20/200023, AC/JY/20/200024 and AC/JY/20/200028.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered and this also appears in the Council's decision notice. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

4. The Council's decision notice referred to policies DES1, DES 5, DES 9 within the Westminster Unitary Development Plan 2007 and Policies S25, S28 within the City Plan 2016. These policies have now been superseded by the City Plan 2019-2040 (2021) (CP) which was adopted on the 21 April 2021. The relevant policies are those which are in place at the time the appeal decision is made and, in that respect, I shall refer to the relevant policies of the CP in making my recommendation. Both main parties have had opportunity to comment on the revised development plan policy position.

Main Issue

5. The effect of the proposal on the character and appearance of the host property and whether it would preserve or enhance the character or appearance of the Bayswater Conservation Area (CA).

Reasons

6. No. 28 is a two-storey end of terrace property constructed from buff coloured bricks and which features a distinctive parapet roof. It sits forward of the neighbouring properties which are constructed in the main from red bricks. Additionally, No. 28 has its principal access at the side of the property overlooking Caroline Place Mews.
7. It is bounded at the side and partially at the front by a small brick wall which provides access to the principal entrance via a narrow open courtyard area located to the side of the property. The neighbouring properties located in Caroline Place Mews appear to be of a different age, style and design to No. 28. However, despite these differences there appears to be consistency amongst other neighbouring terrace rows and these similarities contribute positively to the areas character and appearance.
8. No. 28 sits on the southern edge of the Bayswater Conservation Area. The significance of this part of the CA in as far as it relates to this appeal, is derived from a grid pattern of mainly residential, terraced streets and squares lying to the north of Hyde Park and Kensington Gardens.
9. The proposal to create a single storey parapet roof extension over the narrow courtyard and out beyond the rear elevation would as a result of its scale and form result in a development that was subordinate to the original dwelling. It would be set back from the main façade of No. 28 with the existing principal side entrance relocated to overlook Caroline Place. It would be constructed in the main from bricks of a similar colour to that used throughout the appeal property, with a number of red brick courses, including a course set of 45 degree tapered squint bricks. The use of similar materials ensures that the proposal would be in keeping with the original building and those of its surrounding neighbours. The addition of the red brick courses also creates interest and helps break up the void flank wall.
10. The rebuilding of the small brick wall and replacing it with one with a staggered design along with the proposed detailing in the flank wall ensures that the proposal does not appear overly dominant or juxtaposed within the streetscape. Whilst the proposal would result in a development that would be closer to the common boundary and the public realm, this would not be out of keeping with other end terrace properties which side onto Caroline Place and which have their flank wall side by side with the pavement.

11. As it would be set back from the main façade of No. 28 visibility on approach along Caroline Place from Lombardy Place would be limited. However, from Caroline Place Mews, Bark Place and Orme Crescent it would be highly visible. Nevertheless, as a result of its overall design, scale, height and form along with the use of similar materials and its cohesive parapet roof, it would not appear overly prominent, visually intrusive or uncharacteristic within the areas mixed street scene.
12. Whilst the proposal would see the development upon a wall that faces onto a street, it would respect the scale and proportions of the appeal property along with preserving the key characteristics of this part of the CA and the CA as a whole.
13. I accept that the proposal would not be in full conformity with the Council's Supplementary Planning Guidance (SPG) Development and Demolition in Conservation Areas Extensions which discourages development upon street facades, however, it has been found that the proposal would remain subservient to the original dwelling and its design is of a high quality which respects the existing character and appearance of the CA which fundamentally the SPG seeks to achieve. In any event the SPG is guidance only.
14. In conclusion the proposal has been found not to harm the character and appearance of the host property and preserves the character and appearance of the CA. It therefore complies with Policies 38, 39, and 40 of the CP which seeks proposals to positively contribute to the existing area, be in keeping with the prevailing areas character and, which seeks to protect the historic environment by delivering high quality design that respects and enhances the existing qualities and character of the area.

Conditions

15. I have imposed the standard time limit condition and have specified the approved plans as this provides certainty. I have not attached a separate condition for the materials as details of these are included within the approved plans.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, it is recommended that the appeal should be allowed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Chris Preston

INSPECTOR

