



Appeal Decision

Site Visit made on 28 September 2021

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2021

Appeal Ref: APP/X5990/W/21/3273689

53 Lauderdale Mansions Lauderdale Road, London W9 1LX

- 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 Heidi Rosenwald against the decision of the City of Westminster Council.
 - The application Ref 20/02610/FULL, dated 20 April 2020, was refused by notice dated 3 November 2020.
 - The development proposed is addition of glass balustrade to south and west inner face of roof terrace wall.
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Decision

1. The appeal is allowed and planning permission is granted for addition of glass balustrade to south and west inner face of roof terrace wall at 53 Lauderdale Mansions Lauderdale Road, London W9 1LX in accordance with the terms of the application, Ref 20/02610/FULL dated 20 April 2020 and the plans numbered A-00, A-01, A-02 and A-03 and Site Location Plan submitted with it.

Procedural Matters

2. At my visit I observed that the proposed development has already taken place. I have determined the appeal on that basis.
3. Since the determination of the planning application, the Council adopted the City Plan 2019-2040, superseding the Unitary Development Plan 2007 and City Plan 2016 which were referred to within the Council's decision notice. It is incumbent on me to have regard to the development plan as it exists at the time of my decision, and the main parties have been able to address the change in policy as part of their submissions. I have therefore determined the appeal with regard to the policies of the City Plan 2019-2040.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host building and the Maida Vale Conservation Area (CA).

Reasons

5. The appeal site includes a maisonette on the upper floors of one of a series of mansion blocks that line this part of Lauderdale Road as a terrace. The blocks are of distinctive appearance, including matching ornate gable features sitting above balconies between canted bays, and red brick external finishes with stone or render detailing to the street frontage elevations. Detailing to the rear of the buildings is more muted, but repeating patterns of fenestration and deeper central projections nevertheless provide for an attractive rhythm and

sense of coherence that is appreciable including from the communal gardens behind the blocks.

6. Together with the quality of the retained architectural detailing of the buildings, I consider that this overall uniformity contributes positively to the character and appearance of the Maida Vale CA as a whole and thus to its significance as a designated heritage asset. Moreover, I find that the architectural and historic interest of the appeal building as part of the terraced group of similar mansion blocks warrants its consideration as a non-designated heritage asset, irrespective of whether it has been formally identified as such previously.
7. There is a roof terrace to the rear of the appeal dwelling, and the appeal relates to glass balustrades that have been installed to the inner faces of parapet walls to its rear and around a lightwell. The Council's 'Roofs: A Guide to Alterations on Extensions on Domestic Buildings' document includes advice that roof level terraces may be visually disruptive and that where a roof terrace is acceptable, it must have a simple balustrade or rail at a height of 900mm for safety purposes. However, while it provides an indicator of what is likely to be acceptable, the guidance is just that, and in considering the proposal it is important to take into account the specific circumstances of this site and proposal.
8. At my visit, I observed terraces above roofs of differing storeys at the rear of other mansion blocks along this side of Lauderdale Road. These are interspersed between roofs that do not appear to be in use as terraces and which are enclosed only by parapet walls, and where terraces are present, I saw balustrades of differing heights above the parapet walls enclosing them. As a consequence, there is existing variety in the roofline. The Council comments that the balustrades exceed the minimum height specified under Building Regulations. Be that as it may, they sit well below the top of the masonry of the chimneys at either side of the rear of the terrace, and are much lower than the main roof of the dwelling. In my judgement, the balustrades are subservient to the host building, and having regard to the existing variety at roof level, I do not consider that their height is conspicuous, nor that it harmfully erodes the uniformity of the terrace group.
9. I note that other balustrades to the rear of the buildings here are typically railings and that the use of glass would not necessarily be traditional. Nevertheless, the balustrades are of lightweight appearance without frames or other supports visible outside of the terrace. It was also clear from my visit that their visibility is further restricted by the translucent finish, as well as their position behind the existing railings, albeit that these are lower. In combination with their fairly modest height, this limits significantly the visual impact of the development, and I consider the balustrades to be a contemporary and unassuming addition to the property which do not tangibly alter its overall form or character. In reaching this view, I have noted the Council's comments that glass may be reflective or glow when backlit. However, against the existing glazing to the building including large windows to the appeal property and given the proportionate height of the balustrades, I do not consider this to be visually intrusive or to draw the eye particularly.
10. Given the height at which the balustrades sit above ground and the relationship with the surrounding development, it was also apparent from my visit that the development is not readily visible from the communal gardens to the rear of

the building. The distance to neighbouring properties with views towards the appeal site and significant intervening tree cover further limit opportunities for views of the development from the wider area, and it would not be visible from the surrounding streets.

11. In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA. However, for the reasons given above, I am satisfied that the balustrades are discreet additions that assimilate sympathetically with the host building, and that they do not result in visual clutter or otherwise detract from the host building or the contribution that it makes to the value of this group. Accordingly, I find that the character and the appearance of the CA is preserved, and that the significance of the CA is not harmed by the development. Given my findings above and that each application and appeal must be determined on its individual merits, I can see no reason why the proposal would lead to harmful developments on other sites in the area.
12. I therefore conclude that the character and the appearance of the host building and of the Maida Vale Conservation Area are not harmed by the proposal, and that the development accords with Policies 38, 39 and 40 of the City Plan 2019-2040. Together, these policies broadly require sympathetic development that contributes positively to Westminster's townscape and streetscape, and include requirements that the character and appearance of conservation areas is preserved or enhanced, including through conserving unlisted buildings and features or spaces that contribute to the significance of heritage assets. I similarly find no conflict with the National Planning Policy Framework insofar as it seeks high quality design, outlines that great weight should be given to the conservation of designated heritage assets, and advises that effects on the significance of non-designated heritage assets should be taken into account.

Conclusion

13. For the reasons given above, I find that the proposal would accord with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be allowed. No conditions are necessary given that the development has already occurred.

J Bowyer

INSPECTOR