
Appeal Decisions

Site visit made on 11 May 2022

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2022

APPEAL A

Appeal Ref: APP/X5990/W/21/3285185

20 Craven Hill Mews, London, W2 3DY

- 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 & Mrs Bloom against the decision of City of Westminster Council.
 - The application Ref. 21/02225/FULL, dated 4 April 2021, was refused by notice dated 7 September 2021.
 - The development proposed is relocation of the entrance door from lower to upper ground, replacement of lower ground floor door and window with double glazed metal framed full height doors, reconfiguration of internal layout, removal of mansard roof, erection of additional floor and mansard roof extensions and associated works.
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APPEAL B

Appeal Ref: APP/X5990/Y/21/3285182

20 Craven Hill Mews, London, W2 3DY

- 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 Mr & Mrs Bloom against the decision of City of Westminster Council.
 - The application Ref. 21/02226/LBC, dated 4 April 2021, was refused by notice dated 7 September 2021.
 - The works proposed are relocation of the entrance door from lower to upper ground, replacement of lower ground floor door and window with double glazed metal framed full height doors, reconfiguration of internal layout, removal of mansard roof, erection of additional floor and mansard roof extensions and associated works.
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Decisions

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

Preliminary Matters

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).
4. The Council has previously granted consent for some of the works included in these appeal proposals, including relocation of the entrance door from lower to upper ground, replacement of lower ground floor door and window with double glazed metal framed full height doors and a reconfiguration of the internal

layout. At the time of my visit, these works had been implemented and so my considerations are focused on the remainder of the proposed works. The Council raises no concern about the internal alterations undertaken and so the areas in dispute are limited to the external works.

Main Issues

5. The main issues are whether the proposal would preserve a Grade II listed building, 34-65 Queens Gardens, and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Bayswater Conservation Area.
6. In addition, for Appeal A, the effect of the development on the living conditions of neighbouring occupants, with particular regard to loss of light and sense of enclosure to the flats at lower ground, ground and first floor within 58 Queens Gardens.

Reasons

Listed Building

7. The appeal property is a mews style dwelling, now separate from the principal dwelling, 58 Queens Gardens (though still physically attached at the rear). It is listed at Grade II as part of 34-65 Queens Gardens. The principal dwelling is part of an impressive terrace of townhouses dating from 1852-7. The building derives significance as a splendid example of period architecture incorporating fine architectural detailing, a high degree of uniformity with surrounding buildings and a designed relationship with the opposing gardens.
8. Significance is also derived from the mews buildings to the rear, which were originally integral, and contribute to the interpretation of the terraces former use, being of a far smaller scale, reflecting their formerly utilitarian ancillary use. 20 Craven Hill Mews would have originally been a two-storey building but, like its neighbours, a mansard roof has been added in the past as part of works to make the property an independent dwelling. Notwithstanding this addition, its subservient relationship with the townhouses behind it remains clearly visible and can be readily appreciated, though the modest and ancillary nature of the building has been eroded to some extent.
9. The addition of a further floor in lieu of the existing mansard with a new mansard roof above would significantly heighten the building and further erode the important subservient relationship between the properties. The difference in scale between the principal terrace and the mews houses is significant and so a juxtaposition would remain evident after the works, but the additional prominence of the appeal property, along with the alterations already undertaken that have increased the perception of a principal façade within the mews, would be a harmful alteration that would jeopardise interpretation and understanding of the historic relationship and the hierarchy between the various components of the building.
10. Some properties within the mews have already been extended in a similar manner to that now proposed, including Nos. 22 and 23, a couple of doors away. These examples highlight the concerns that I have set out and further additions of a similar nature would undoubtedly compound harm to the listed building, increasing the collective mass and height of the mews properties in

very close proximity to the principal townhouses. It would begin to create a more imposing street scene within the mews that is less focused on the backdrop of the terrace. The visual effect of the proposed scheme would be particularly unfortunate given that No. 21 would remain at a lower level, creating an incongruous gap within the row that is otherwise relatively harmonious in its scale, design and appearance, notwithstanding that there is more variation on the opposite side of the mews.

11. The harm arising to the listed building, which includes the grand terraces and smaller mews properties, would be less than substantial in the terms of the National Planning Policy Framework (the Framework) but is nevertheless of considerable importance and weight. No public benefits sufficient to outweigh the identified harm have been identified, the benefits in this case being largely of a private nature. The property is already functioning as a residential dwelling and this would not alter if the appeals fail. Given the above, the proposal would fail to preserve the special historic and architectural interest of the Grade II listed building in conflict with the requirements of the Act and contrary to policy contained within the Framework. In addition, there would be a conflict with Policies 38, 39 and 40 of the City Plan 2019-2040 (April 2021) (City Plan), which seek to conserve heritage assets.
12. In reaching this conclusion, I have also had regard to *Roofs: A Guide for Alteration and Extensions on Domestic Buildings* and the *Bayswater Conservation Area Audit*, which identify the harm that can be caused by upwards extensions.

Conservation Area

13. The Bayswater Conservation Area incorporates large areas of grand townhouses on wide tree lined streets, often set around formal squares or gardens. Smaller mews developments are a common feature that can be seen in contrast to the properties on principal routes. The collective arrangement of these buildings, their architecture and designed layout create significant group value that contributes to the significance of the conservation area, being a relatively well conserved and intact example of architecture from this period.
14. As I have set out above, the proposed development would diminish the contrast between the grandeur of the townhouses and smaller mews developments. Whilst the appeal property is a small component of the conservation area, the effect of the development would be clearly apparent as a detracting feature that would harm its significance. Again, the harm would be less than substantial, but no public benefits have been identified that would outweigh this harm.
15. Given the above, the proposal would fail to preserve the character and appearance of the Bayswater Conservation Area in conflict with the requirements of the Act and contrary to policy contained within the Framework. In addition, there would be a conflict with Policies 38, 39 and 40 of the City Plan 2019-2040 (April 2021) (City Plan), which seek to conserve heritage assets.
16. In reaching this conclusion, I have also had regard to *Roofs: A Guide for Alteration and Extensions on Domestic Buildings* and the *Bayswater Conservation Area Audit*, which identify the harm that can be caused by upwards extensions.

Neighbours living conditions

17. The appeal property is attached to 58 Queens Gardens and is separated from a number of windows by a small lightwell that is enclosed on all sides. Some windows serve non-habitable rooms such as stairwells and bathrooms where the development is likely to have a minimal effect on neighbours living conditions, notwithstanding that views out and light would be lost.
18. Three large openings directly oppose the rear of the appeal property, currently serving the bedrooms of flats at lower ground, ground and first floor level within 58 Queens Gardens. These bedrooms currently receive varying degrees of light which reduces the lower down the building they are, given the enclosing effect of the lightwell. The view out of all of these windows is heavily dominated by the appeal property, though the first floor flat currently has an appreciable view of the sky beyond when looking upwards.
19. The addition of a further floor to the appeal property would reduce the levels of daylight and sunlight reaching the neighbouring flats and the submitted sunlight and daylight assessment demonstrates that the loss of light would be noticeable in some instances.
20. However, the lower flats are already very enclosed within the lightwell, and the additional sense of enclosure and loss of light would not materially alter the position or be so detrimental as to result in unacceptable living conditions. This is particularly so bearing in mind the busy, densely built urban location and the good levels of light and outlook available from primary living areas facing towards Queens Gardens. The impact of the development would reduce towards the upper flats and the proposed design of the mansard roof, sloping away from the building at the rear would assist in minimising impacts as far as possible.
21. As such, I find no material conflict with Policies 7 and 38(C) of the City Plan, so far as they seek to protect neighbours living conditions.

Conclusion

22. Although the development would not unacceptably harm the living conditions of neighbouring occupants, it would fail to preserve the special historic and architectural interest of the Grade II listed building and the character and appearance of the Bayswater Conservation Area. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with policies 38, 39 and 40 of the City Plan. As a result, the proposal would not be in accordance with the development plan.
23. In light of the above, the appeals are dismissed.

Michael Boniface

INSPECTOR