



Appeal Decision

Site visit made on 4 October 2022

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2022

Appeal Ref: APP/X5990/W/22/3299546

28 Crawford Place, London W1H 5NJ

- 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 F Argyrou of Orchidmatch Ltd against the decision of Westminster City Council.
 - The application Ref 21/05550/FULL, dated 6 August 2021, was refused by notice dated 22 February 2022.
 - The development proposed is erection of mansard roof extension to enlarge second floor flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development on the character and appearance of the host building, and whether the proposed development would preserve the character and appearance of the Molyneux Street Conservation Area.

Reasons

3. The appeal property is a three storey terrace building with a commercial use at ground floor and residential accommodation above. It lies within the Molyneux Street Conservation Area (the Conservation Area). The proposed development would comprise the erection of a mansard roof extension set behind a parapet wall to provide an additional storey to the second floor flat. It would contain two windows in both the front and rear with blank side elevations and would occupy the full width of the property.
4. The Molyneux Street Conservation Area Audit Supplementary Planning Guidance 2002 (the SPG) states that the Conservation Area comprises an early 19th century Georgian grid-iron pattern of development which appears to have been planned as a modest neighbour to the dignified squares and streets to the east, with terraces of a simple design and detailing. From the evidence before me and my site visit observations, the significance of the Conservation Area, in part, derives from its architectural and historic interest associated with the development of the area and the evidence it provides of the architectural style and building techniques of the time.
5. The appeal property, together with the two adjacent buildings, forms part of a modest terrace of three storey buildings. These buildings, together with the taller public house adjacent to no. 30, are identified in the SPG as unlisted

buildings of merit. Such buildings are considered to be of particular value to the character and appearance of the Conservation Area. The appeal property contributes positively to the character and appearance of the Conservation Area due to its form, scale, materials and relationship with the adjoining buildings, notwithstanding that the SPG states that Molyneux Street is the focus of the Conservation Area.

6. The SPG advises that roof profiles are an important element which can influence the character and appearance of the Conservation Area and roof extensions are not always acceptable as they can have a negative impact on this. The SPG identifies (at the time of its publication) that rooflines remain intact in the remainder of several streets including Crawford Place, and whilst some roof extensions have been built in the past these have not been sufficient to affect the character of these streetscapes. The appeal property is identified within the SPG as one where roof extensions are unlikely to be acceptable.
7. Views of the proposed mansard roof would be limited from the east due to the presence of the taller building of the public house on the corner of Crawford Place and Shouldham Street. Views would also be limited from the rear due to the screening effect of the existing built development. The proposed roof extension would be visible in views along Crawford Place from the west. There is a relatively large building on the corner of Molyneux Street and Crawford Place. The appeal property is seen in the same view as this larger building from several vantage points, although it does not obscure views of the appeal property along much of the length of Crawford Place. The proposed roof extension would also be visible from street level when in closer proximity, notwithstanding the height of the appeal property and width of Crawford Place. The proposed mansard roof would therefore be visible from the surrounding area.
8. The proposed mansard roof, in occupying the full width of the property, and given its height, and the scale of the proposed dormer windows, would appear as an incongruous and bulky addition. It would dominate the appeal property and give it a top heavy appearance. While it would be viewed against the higher building of the public house from certain vantage points, the proposed roof extension would nevertheless be clearly discernible. It would alter the existing roof line of this modest terrace and would interrupt the flow of the roof structure. The proposed development would therefore be an inharmonious addition to the roof that would not be sympathetic to the distinctive character of the appeal property, with consequent harm to the character and appearance of the surrounding area.
9. The use of traditional materials would not adequately mitigate this harm. Furthermore, the relatively large building on the corner of Molyneux Street and Crawford Place is not so dominant within the street scene such that it would lessen the harmful effects of the proposed roof extension.
10. The appellant contends that the proposed roof extension would be seen in relation to the mansard roof of the property at 50 Molyneux Street which is on the corner of this street and Crawford Place. However, when looking along Crawford Place, the property at no. 50, including its roof, is only visible in conjunction with the appeal property when viewed in close proximity near to the junction with Molyneux Street. The proposed mansard roof would not

therefore be seen in the same view as the property at no. 50 for much of the length of Crawford Place.

11. I recognise that there are examples of mansard roof extensions in the vicinity, and that there is some variety in the form, design and rooflines of the built form. However, the terrace within which the appeal property sits appears to be free from such roof additions and therefore the roof profile is a positive element of the character and appearance of this part of the Conservation Area.
12. I acknowledge that the Council's supplementary planning guidance Roofs A Guide to Alterations and Extensions on Domestic Buildings (the Roofs SPG) pre-dates the current development plan and the National Planning Policy Framework (the Framework). Nevertheless, it provides guidance to ensure that roof alterations and extensions preserve and enhance the character and appearance of buildings and areas. In this regard, I note that the design objectives of the Framework and Policies 38, 39 and 40 of the 2021 adopted City of Westminster City Plan 2019 – 2040 (the City Plan) seek to ensure that development is sympathetic to local character, amongst other matters.
13. I therefore conclude that, while reasonably localised in its extent, the effect of the proposed development would be to diminish unacceptably the character and appearance of the host building. The scale, design and positioning of the proposed mansard roof, the significant harm that it would cause to the property and its relationship with the modest terrace in which it sits is such that I also conclude that the proposed development would not preserve or enhance the character or appearance of the Conservation Area.
14. In terms of the Framework, I assess the harm to the Conservation Area as less than substantial given that its significance would remain largely intact. Even so, paragraph 199 of the Framework directs me to give 'great weight' to the conservation of such assets; less than substantial harm does not equate to a less than substantial planning consideration. Accordingly, paragraph 200 of the Framework sets out how any harm should require 'clear and convincing justification'. Paragraph 202 of the Framework further advises that the harm should be weighed against the public benefits of the proposal.
15. The proposed development would result in more spacious living accommodation. However, while appreciating the appellant's desire to create a larger, more usable space, and therefore an improved living environment for occupiers of the flat, this would not amount to a public benefit.
16. Accordingly, the proposed development would conflict with Policies 38, 39 and 40 of the City Plan. Amongst other considerations, these policies require developments to respond positively to Westminster's townscape and streetscape; conserve or enhance the character and appearance of conservation areas; and conserve unlisted buildings that make a positive contribution to a conservation area and features that form an important element of local townscapes or contribute to the significance of a heritage asset.

Conclusion

17. The proposed development would conflict with the development plan taken as a whole. There are no material considerations worthy of sufficient weight that

would indicate a decision other than in accordance with it. Therefore, for the reasons given, I conclude that the appeal should not succeed.

F Wilkinson

INSPECTOR