



Appeal Decisions

Site visit made on 20 September 2022

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2022

Appeal Ref: APP/X5990/W/22/3298849

94 Crawford Street, London W1H 2HG

- 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 M Miller against the decision of City of Westminster Council.
 - The application Ref 21/05691/FULL, dated 2 February 2021, was refused by notice dated 13 December 2021.
 - The development proposed is a mansard roof to provide fourth floor level.
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Appeal Ref: APP/X5990/Y/22/3298851

94 Crawford Street, London W1H 2HG

- 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 M Miller against the decision of City of Westminster Council.
 - The application Ref 21/05692/LBC, dated 2 February 2021, was refused by notice dated 13 December 2021.
 - The works proposed are a mansard roof to provide fourth floor level.
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Decisions

Appeal Ref: APP/X5990/W/22/3298849

1. The appeal is dismissed

Appeal Ref: APP/X5990/Y/22/3298851

2. The appeal is dismissed

Main Issue

3. The main issue in this case is whether the works would harm the special architectural and historic interest of this Grade II listed building, whether they would have an adverse effect on the settings of adjacent listed buildings, whether they would fail to preserve the character or appearance of the Portman Estate Conservation Area, and whether they would harm the significance of any of these designated heritage assets.

Reasons

4. No 94 is prominently sited on the corner of Crawford Street and Wyndham Place. It is part of a Grade II listed terrace that dates from the early 19th Century, and includes the adjoining premises of 9-13 Wyndham Place that are on the west side of that road. The original designs and subsequent alterations mean there are various differences in the detailing of individual properties in this listed building. Overall though, there is still a broad comparability of design, scale and form that ensures the building maintains a strong sense of uniformity. In particular, the terrace has a bold parapet line that terminates

the front elevation and substantially conceals any roofing behind, to give the impression of it being flat-roofed. I consider that these factors contribute to its special architectural and historic interest, by reflecting its age and architectural style. The significance of this listed terrace is therefore partly historic and partly architectural, while No 94 not only accords with this significance but also contributes positively to it.

5. Grade II listed buildings are located on each of the other 3 corners of this crossroads as well as on the opposite side of Wyndham Place. Although displaying different detailing and arrangements, they are nonetheless of a sympathetic design and scale, and generally have similar parapets to those of the appeal property, with little or no roof apparent above.
6. On the other side of Crawford Street, across the end of Wyndham Place, is the Grade I listed Church of St Mary. Externally, the special architectural and historic interest of this building lie in its detailing, while its position across the head of Wyndham Place highlights its role as the spiritual focus of the community, and adds to its significance. This is very much emphasised by the relatively uniform terraces to either side of the road (which include the appeal site) as they draw the eye to the church, and so enable its significance to be better appreciated.
7. The site is within the Portman Estate Conservation Area, which covers a number of streets and squares that were laid out at a similar time. Although there is a high degree of individuality among the properties, they also share much in terms of their scale, their proportions, their form and their siting close to the pavement. This means the area's character and appearance has a great cohesiveness and unity that adds to its significance as a designated heritage asset. Given its scale, form, siting and design the listed building containing the appeal property makes a positive contribution to the significance of the conservation area.
8. On the plans before me, the mansard-type treatment would be relatively close to the parapet and would rise quite steeply. As a result, the works would be apparent to some degree in longer views along Crawford Street from the east, and from Wyndham Place. To my mind, their presence would undermine the strength and termination provided by the parapet, and compromise the flat roofed form of the property, both of which contribute to its significance and its interest. Although it was said the works would positively mimic or respond to the building, I see nothing in the design that would lead me to that view. As a result, it would adversely affect the historic and architectural significance of No 94.
9. Furthermore, when looking along Wyndham Place, the works' encroachment above the parapet and slightly forward of the chimneys would undermine such uniformity as now exists along the terrace on that side of the street. Although the effect of this would be slight, I nonetheless consider it would detract from the historic composition of the terrace as a whole. Overall, I therefore find the scheme would fail to preserve the special architectural and historic interest of this listed building, so causing harm, albeit less than substantial, to its significance as a designated heritage asset.
10. By diluting the effect of the terrace's strong parapet line, the works would diminish the role of this building in the streetscape. As stated, what is before me would also cause harm to the significance of this Grade II listed property,

which, as a designated heritage asset, is an important building within the conservation area. Given the overall size of the conservation area, the effect of the works would not be great. Nonetheless, the scheme would fail to preserve its character and appearance and cause less than substantial harm to the conservation area's significance.

11. However, I am not satisfied that any effect Wyndham Place has in drawing the eye to The Church of St Mary would be affected by these works, given their high level, the concealing effect of the chimneys, the separation between the 2 buildings, the visual strength of the terraces' facades in these views, and the diversity of roof treatments that exist immediately around the church. Similarly, the listed buildings on the 3 other corners of the crossroads and across Wyndham Place are all separated from No 94 and are not part of the same composition. As such, the proposal would not harm the settings of those listed buildings.
12. In coming to this view, I am mindful the appellant considered the roof treatment was to fill in 'a hole' in the roofscape. That though is not a view I share. Whilst there are mansards and similar on the properties to the west, as stated when seen in the context of Wyndham Place and the junction with Crawford Street, the emphasis is very much on strong parapets with little roofing apparent behind. In any event, I consider that what is now proposed is significantly different to the roof treatments at 92/93 Crawford Street and at Clarewood Court. While the former is a modern development that makes little positive contribution to the conservation area, the latter is a large block that very much generates its own presence, and both are of a different height to No 94. As a result, what is before me harmonises little with these existing adjacent roof treatments.
13. It would appear too that there use to be some form of structure on what is now the flat roof of No 94. I have no knowledge as to the form that took, whether or not it was original, the impact it had, or the circumstances around its removal. That is not a matter that can therefore have an appreciable bearing on my decision.
14. I was aware of the café tables on the pavement across Crawford Street, but consider they are clearly temporary features that add to the vibrancy of the area and are so small as not to cause harm. I also noted the comments about various refuse collection areas in the vicinity, but any impact they may have is not comparable to that of the structure before me.
15. I am unaware of when or how it was decided the roof treatment could be erected on the property at the corner of Upper Montagu Street that is currently used as a chemist shop on the ground floor, and this affects the weight I can afford it. I acknowledge there are similarities in the design of the building, the appearance of the mansard and the building's relationship to the terrace (which may or may not be listed) on that side of the road. To my mind though the appearance of the mansard and the effect on the neighbouring terrace serve to reinforce my concerns expressed above.
16. The appellant has referred to a number of other cases where mansard treatments have been allowed in and around Westminster. I recognise as well that there are many properties in the area that have roof treatments already. Some were no doubt original features built with the building. Others that have been added later sympathise with the historic locale to varying degrees.

Overall though, I am to consider the impact of this scheme on its particular context, and so those decisions and developments do not offer a basis for me to find differently.

17. Accordingly, I find the scheme would cause less than substantial harm to the significance of the listed building containing No 94, and to the significance of the conservation area.
18. The *National Planning Policy Framework* (the Framework) says that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm to its significance requiring clear and convincing justification. It adds that if less than substantial harm is identified to a designated heritage asset, it should be weighed against the scheme's public benefits.
19. This scheme would be creating additional living accommodation on a part of the building that is little used at the moment, and this would be a public benefit. However, on the evidence before me, this would not constitute a clear and convincing justification for the scheme, and would not outweigh this long-term harm to the building and the conservation area that would result from the works.
20. Accordingly, I conclude that the proposal would fail to preserve the special architectural and historic interest of this Grade II listed building, and would not preserve the character or appearance of the Portman Estate Conservation Area, causing less than substantial harm to the significance of both of these designated heritage assets. In the absence of any clear and convincing justification for the works and any public benefits to outweigh this harm, the proposal would conflict with Policies 38, 39 and 40 in the *City Plan 2019-2040*, which together broadly seek development that safeguards the City's historic environment, and also the Framework.

Conclusion

21. I therefore conclude the appeals should be dismissed.

JP Sargent

INSPECTOR