



Appeal Decision

Site visit made on 8 March 2023

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th April 2023

Appeal Ref: APP/X5990/W/22/3310496

57 Talbot Road, London W2 5JJ

- 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 Jeremy Fryzuk against the decision of the Council of the London Borough of the City of Westminster.
 - The application Ref 22/04742/FULL, dated 15 July 2022, was refused by notice dated 28 September 2022.
 - The development proposed is the widening of existing dormer window to provide increased terrace space, replacement railings (like for like) and replacement windows (like for like).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit the development had already been carried out. I have determined this appeal accordingly.

Main Issue

3. The effect of the proposal on the character and appearance of the area, including the Westbourne Conservation Area.

Reasons

4. The appeal site is within the Westbourne Conservation Area (the WCA), whose significance appears to be partly derived from the grid pattern of regular streets. The architectural typology of the area is predominantly terraced properties and it is the embellishments of the properties and the consistent architectural detailing, including their roof forms, which contribute towards the uniformity of the area. The appeal building is a mid-terrace property which, given its characteristics, makes a positive contribution towards the significance of the WCA.
5. The evidence before me indicates that the previous dormer at the appeal property retained sections of the former roof form to either side and the roof appears to have been altered to reflect a traditional recessed mansard. As such, it appears to have been a sympathetic alteration which hinted towards the design of the original roof.
6. To the contrary, the existing rear dormer is the full width of the host property. It is of a flat roof design and has a large expanse of glazing along its full width. This design, namely the total loss of the original roof form to the rear, along with the larger terrace, drastically erodes the architectural integrity of the host

building and interrupts the townscape which makes an important contribution to the WCA. The development is an intrusive addition which fails to integrate well with the roofscape of the host terrace.

7. I observed that the railings and the lack of original roof form is evident from public vantage points. The development would also be evident from neighbouring properties. Whilst I acknowledge that views are mainly oblique, given the relationship with surrounding built form and the presence of a street tree, it remains that the proposal is harmful to a characteristic of the WCA and thus should be avoided. It does not follow that the lack of harm identified to the setting of the nearby listed building also results in a lack of harm to the host building and WCA as a whole.
8. It is suggested that the roof development at 51 Talbot Road is similar to the appeal proposal. I appreciate that this example appears to include extensive glazing and a large terrace, and that it has a similar relationship to the nearest public vantage points as the appeal property. However, I note the longstanding planning history regarding this site, from which it is not definitive as to whether this example benefits from planning permission. Moreover, historic, unsympathetic alterations do not serve to justify further harmful development elsewhere.
9. Similarly, other than the limited photographic evidence, the information relating to other examples of roof alterations in the locality is sparse. I cannot therefore accurately ascertain whether the context surrounding the examples, or their designs, are directly comparable and thus cannot make a fully reasoned comparison between them and the appeal proposal. Furthermore, it is not clear whether they have indeed been granted approval.
10. Taking all the above into consideration, and given the scale of the development in context, the proposal causes less than substantial harm to the significance of the WCA as a whole. The National Planning Policy Framework (the Framework) is clear that great weight should be given to the conservation of heritage assets, irrespective of the level of harm and, where a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal. No such benefits have been suggested to me. The intimated high-quality finish of the proposal does not amount to a public benefit.
11. Consequently, the proposal harms the host building and fails to preserve the character or appearance of the WCA. It therefore conflicts with policies 38, 39 and 40 of the City of Westminster City Plan 2019-2040 (April 2021) which, along with the Framework, collectively seek to ensure that developments are sensitively designed so as to conserve, positively contribute to and enhance Westminster's townscape and streetscape.

Conclusion

12. The development conflicts with the development plan as a whole and there are no material considerations, including the Framework, that indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

H Ellison
INSPECTOR