



Appeal Decision

Site visit made on 27 March 2023

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2023

Appeal Ref: APP/X5990/D/22/3312381

22 Balvaire Place, London SW1V 3SN

- 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 R Roy against the decision of the City of Westminster Council.
 - The application Ref 22/05934/ADFULL, dated 1 September 2022, was refused by notice dated 3 November 2022.
 - The application sought approval of details of new windows, doors and rooflights pursuant to condition 3 of the appeal decision dated 13 December 2021 (ref: APP/X5990/D/21/3282104)
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed windows, doors and rooflights on the character and appearance of the host building and its surroundings.

Reasons

3. The appeal property is a 3-storey end-of-terrace house with a conservatory to the rear and garden to the side. It forms part of a 1980s housing development situated between the Tachbrook Estate and Grosvenor Road and it flanks one of the entrance gateways.
4. The estate displays a high degree of uniformity. This is derived from the use of a limited palette of materials and repeated architectural details and features. In particular the properties feature the same style of entrance and garage doors and there is a high degree of consistency in respect of the arrangement of sash-style windows on the upper floors.
5. In December 2021 planning permission was granted, at appeal¹, for the construction of a single storey side extension at ground floor level, a two-storey rear extension at first and second floor level and a roof extension together with a private roof terrace. Condition 3 of the planning permission states: *"No development shall commence until there shall have been submitted to and approved in writing by the local planning authority detailed plans and elevations at 1:20 and sections at 1:10 of the following part of the development: any new external windows, doors and rooflights"*. The reason

¹ Appeal ref: APP/X5990/D/21/3282104

given for the imposition of this condition is to safeguard the character and appearance of the area.

6. The subject of this appeal is a refused application seeking approval of details to discharge condition 3. The information submitted by the appellant to discharge the planning condition comprises window/door manufacturer's brochures, that include multiple details of window and door frames, and a quotation that indicates an intention to install 2 types of casement windows and sash-style windows of various sizes and glazing bar arrangements. It is not clear from the information provided where these windows would be located. Detailed plans and elevations at 1:20 and sections at 1:10, as required by condition 3, have not been provided and there are no details for the doors or the rooflights.
7. To discharge this planning condition it needs to be demonstrated that the approved scheme, including the type, design, materials and colours of windows, doors and rooflights would be compatible with those elsewhere in the estate. The information before me is not adequate to provide sufficient reassurance that this would be the case.
8. For these reasons I conclude that the proposed windows, doors and rooflights would have an unacceptable effect on the character and appearance of the host building and its surroundings. These elements therefore fail to accord with Policies 38 and 40 of the City of Westminster City Plan 2019 - 2040 (2021) which seek to ensure that development complements local character.

Conclusion

9. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR