



Appeal Decisions

Site visit made on 1 June 2023

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 September 2023

Appeal A Ref: APP/X5990/W/22/3312372

9 Wellington Place, London NW8 9JA

- 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 and Mrs Rachel and William Bartlett against the decision of City of Westminster Council.
 - The application Ref 22/02165/LBC, dated 30 March 2022, was refused by notice dated 16 September 2022.
 - The works proposed are an upper ground floor rear extension to Grade II listed house, with associated internal alterations.
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Appeal B Ref: APP/X5990/Y/22/3312374

9 Wellington Place, London NW8 9JA

- 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 and Mrs Rachel and William Bartlett against the decision of City of Westminster Council.
 - The application Ref 22/02164/FULL, dated 30 March 2022, was refused by notice dated 16 September 2022.
 - The development proposed are an upper ground floor rear extension to Grade II listed house, with associated internal alterations.
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Decisions

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

Preliminary Matters

2. The appeal concerns work to No. 9 Wellington Place which forms part of the Grade II listed building known as 8 and 9 Wellington Place (List Entry Number: 1273573). In addition, it is situated within St. John's Wood Conservation Area (CA). I am mindful of my statutory duties in respect of 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act (the Act).
3. These decisions address both planning and listed building consent appeals for the same site and same scheme. Although the remit of both regimes is different, in order to reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single decision.

Main Issues

4. The main issue is whether the proposed works and development would preserve the listed building or any features of special architectural or historic interest that it possesses; and whether the character and appearance of St. John's Wood Conservation Area would be preserved or enhanced.

Reasons - both appeals

5. The Grade II listed building (Nos. 8 & 9) comprises a pair of mid-19th Century semi-detached villas situated on the north side of Wellington Place between Wellington Road and Cavendish Avenue. Set back from the street behind a high brick boundary wall and front gardens, Nos. 8 & 9 are both two-storeys over a basement and feature recessed main entrance bays, hipped slate roofs, and white stucco frontages. In contrast to their primary front facade, the rear elevation of Nos. 8 & 9 have been more obviously subject to alteration, including a two-storey brick projection with different fenestration at No. 8; and flat-roof lower ground floor level extensions substantially built into rear yards to both. No. 9 also shows evidence of new pointing and a later timber window at first floor level and a larger dormer in the roof.
6. In spite of these changes, Nos. 8 & 9 present a holistically designed pair with some degree of architectural parity maintained in the traditional material treatment at upper ground and first floor level. It is possible to read the historic extent of the pair's rear elevation within No. 9, and the extent of space within the rear yard is also discernible.
7. I consider that the significance and special interests of Nos. 8 & 9 to derive from its being a fine example of a neo-Classical villa, with an overall form, material treatment and architectural detailing that is typical of the mid-19th Century aesthetic. While the frontage makes an important contribution to the wider street scene, significance also derives from its historical integrity, to which the legibility of the building's original plan-form, relationship to the plot, and traditional materials all contribute.
8. The St. John's Wood Conservation Area (CA) encapsulates mainly residential, tree-lined streets fronted by terraces and large villas that grew up as a leafy London suburb during the mid-19th Century. The Council's St John's Wood Conservation Audit (CAA) identifies *'it was the construction of broad avenues of detached and semi-detached villas in substantial grounds which gave St. John's Wood its distinctive character and established a new model of suburban style'*.
9. Located towards the southern boundary of the CA, Nos. 8 & 9 sit within a verdant streetscape, and exhibit the detailing, traditional materials, and overall cohesion synonymous with the mid-19th Century neo-Classical style. Notwithstanding the proximity of the large non-listed residential buildings nearby, as well as the Wellington Hospital and Lords Cricket Ground, Nos. 8 & 9 are a component of the built backcloth of the CA that makes a positive contribution to its character and appearance. Notwithstanding alterations and extensions to it, the age, form, and historic integrity of No. 9 makes it of value to the significance and special interest of the CA as a whole.
10. The works and development propose the addition of an upper ground floor living room to No. 9 which would be accessed via a widened opening and new timber framed glazed doors. The new extension would sit above the existing flat-roofed extension and reach the full width of the rear elevation up to first floor level and leave a gap between the rear boundary to allow for a rooflight to the lower ground floor. The exterior of the proposed extension would be rendered, it would feature 'slot' glazing to the original rear wall and rooflight and wrap-around sliding glass doors. The proposals would also replace a first-floor window lintel with a brick arch to match the original. The spine wall

between the upper ground floor living and dining room, as well as an internal door between the hallway and the dining room would be reinstated.

11. In combination with the extant extension, the proposed works and development would add considerably more scale and mass to the rear of No. 9 and significantly beyond the extant two-storey extension at No. 8. The proposals would also conceal almost half of the rear elevation of No. 9, leaving just the first floor un-extended. There would be a staggering of extensions at various depths, which would further erode the architectural parity that Nos. 8 & 9 share as an entity as well as the amount of undeveloped space to the rear of the plot.
12. Although the existing rear brick wall would be visible through 'slot glazing', legibility of the historic form of the building and its authenticity would still be fundamentally weakened. While the design is intended to be contemporary, the proposals would cause starkly modern box-like addition to dominate No. 9, which together with the size and form of glazed elements would be completely at odds with its traditional proportions and materials.
13. Overall, I find that the proposed works and development would fail to preserve the Grade II listed building as an entity, but rather cause harm to its special architectural and historic interest, contrary to the expectations of s16(2) and s66(1) of the Act.
14. Even if the impact of the proposals would only be glimpsed from the public realm and experienced in the context of some larger modern buildings, the scale, massing and design concept would jar with the careful order and symmetry that characterises semi-detached villas in the CA. As a consequence, a small but integral component that underpins the character and appearance of the CA as a whole would be weakened and not preserved or enhanced. Rather, the significance and special interest of the CA would, in a small way be harmed, running contrary to sections 72(1) of the Act.
15. Bearing in mind the scale and nature of the proposals, I judge that the degree of the harm to the significance of the listed building and CA as designated heritage assets would, in each case, be less than substantial. Paragraph 202 of the National Planning Policy Framework (the Framework) requires the less than substantial harm be weighed against the public benefits of the proposal, including where appropriate, securing the optimum viable use.
16. There are aspects of the proposals that would improve legibility of the internal plan form, including between the front and rear living rooms and the re-opening of a stair compartment. Together with the reinstatement of a traditional window arch and repairs to brickwork, I consider these aspects would better reveal the significance of the listed building to be of some small public benefit. There would be wider economic benefits associated with the construction phase and the proposed extension would include energy efficient measures and a green roof that would potentially enhance local biodiversity. In the main, however, the environmental benefits as public benefits would be small. More specifically, the benefits would be private ones associated with creating larger and more flexible living space for the appellants.
17. Paragraph 199 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Even cumulatively the

public benefits would be modest and there is little before me to justify the proposals as causing the minimum impact to achieve them. Overall, I judge that the sum of public benefits in favour of the proposals do not outweigh the less than substantial harm identified. Conflict also arises with the historic environment protection policies within the Framework and the design, townscape and historic environment safeguarding aims of Policies 38, 39 and 40 of the Westminster City Plan 2019 -2040 (2021).

Conclusion – both appeals

18. For the reasons set out above, and having considered all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

Alison Scott

INSPECTOR

