



Appeal Decisions

Site visit made on 17 July 2023

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2023

Appeal A Ref: APP/X5990/W/22/3312513

20 Clifton Hill, City of Westminster, London NW8 0QE

- 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 Ms Nicola King against the decision of City of Westminster Council.
 - The application Ref 22/05566/FULL, dated 15 August 2022, was refused by notice dated 14 October 2022.
 - The development proposed is described as: 'Conversion of loft space to habitable rooms and associated works, including erection of dormer window, internal staircase, etc.'
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Appeal B Ref: APP/X5990/Y/22/3312535

20 Clifton Hill, City of Westminster, London NW8 0QE

- 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 Ms Nicola King against the decision of City of Westminster Council.
 - The application Ref 22/05567/LBC, dated 15 August 2022, was refused by notice dated 14 October 2022.
 - The works proposed are described as: 'Conversion of loft space to habitable rooms and associated works, including erection of dormer window, internal staircase, etc.'
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Decisions

1. *Appeal A*: The appeal is dismissed.
2. *Appeal B*: The appeal is dismissed.

Preliminary Matters

3. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2), 66(1) and 72(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
5. The Council has concluded that the proposed alterations to the partitions at second floor would not have adverse impact on the special interest of the building. This is because the historic plan form has already been compromised here and there are limited surviving historic features of interest. On this basis I see no reason to disagree, and I therefore conclude that the internal works to install the dormer, including the provision of the staircase, would preserve the special interest and significance of the listed building and meet the requirements of the Act and Policy 39 of the City Plan (2021) (the CP) which seeks to ensure heritage assets are conserved in a manner appropriate to their

significance. I shall therefore focus my considerations on the proposed dormer window.

6. The appeal property, 20 Clifton Hill, forms part of a Grade II listed building¹ referred to on the National Heritage List for England as: '*18 and 20, Clifton Hill*'. The listed building consequently also includes the adjoining residential property, 18 Clifton Hill.

Main Issues

7. The main issues are whether the proposal would preserve the Grade II listed building of 18 and 20, Clifton Hill, or any features of special architectural or historic interest which it possesses; and whether the proposal would preserve or enhance the character or appearance of the St Johns Wood Conservation Area (the CA).

Reasons

Special Interest and Significance of Listed Building

8. The listed building is a pair of nineteenth century semi-detached houses dating from circa 1840, as stated in the list description. Their symmetrically arranged Italianate façades consist of white stucco walls to the frontage with brick to the sides and rear. The special interest and significance of the listed building is derived, in part, from its architectural aesthetic, based on Classical proportions, symmetry, materials and detailing that strongly reflect the architecture of this period. In that regard window openings and fenestration have a strong vertical emphasis and are symmetrically arranged on the front and rear elevations.
9. The large, projecting pilastered porches and tall, corniced windows of the ground floor rooms emphasise the importance of the ground floor storey, in contrast with the smaller window openings at first floor and those at lower ground floor level. The roof comprises a hipped design with a shallow pitch and deep eaves. Whilst simple in its detail, it nonetheless forms a key feature of the listed building and at present it is largely unbroken. The shallow nature of the roof ensures the features of the ground floor are dominant within the façade of the building, reflective of the hierarchy of function and use of the internal spaces. Therefore, the careful balance and symmetry of the building's external elevations to the front and rear are integral to its significance and special interest.

Special Interest and Significance of Conservation Area

10. Initially developed in the nineteenth century, the area mostly comprises low density residential development situated in large mature plots along wide tree-lined avenues. The area is characterised by a mixture of early-mid Victorian detached and semi-detached villas and terraces, interspersed with a number of twentieth century buildings. These are constructed to a variety of architectural styles typical of this period, including Italianate styles.
11. The low-density nature and the distinctive mix of dwellings of a variety of architectural styles are characteristics of the streetscene that contribute to the significance of the CA, insofar as it relates to this appeal. As good examples of nineteenth century Italianate villas set amongst similar properties, No 18 and

¹ List Entry Number: 1291362

No 20 Clifton Hill make a valuable contribution to the character and appearance of the CA as a whole. These conclusions are reinforced by the content of the St Johns Wood Conservation Area Audit 2008 (the SPD).

Appeal Proposal and Effects

12. It is proposed to add a dormer window to the rear roof slope of No 20. It would represent a substantial addition to the existing roofslope, increasing the prominence and bulk of the roof as an element of the building, to the detriment of its architectural integrity, and at odds with the legibility of the hierarchy of the function and use of the internal spaces. It would sit high on the roofslope, almost meeting the ridgeline, which would exacerbate its dominance. The width of the dormer would exceed that of any of the windows below it, with its horizontal emphasis and squat appearance, jarring with the elegant vertical proportions of the existing windows. This would disrupt the Classical proportions and symmetry of this carefully composed façade.
13. Moreover, as an isolated and substantial addition to the roof of No 20, the proposal would unbalance the appearance of the pair of semi-detached dwellings. As a result, the symmetrical form and balance that characterises the building's front and rear elevations would be weakened. This would undermine the value of No 18 and No 20 as a pair and harm their special interest and significance.
14. My impression on site was that the proposed dormer window, situated high on the roof slope, would be glimpsed in the gaps between the dwellings on the neighbouring street of Springfield Road, whilst it would also be seen from neighbouring properties. Although the appellant argues that this is not a key view, the existing architectural style and symmetry of the listed building are nonetheless evident from here. I note that the rear elevations and unbroken roof slopes of similar Italianate villas are also visible in occasional gaps between dwellings along Springfield Road.
15. The harm arising from the unbalancing of the pair of dwellings, the dilution of symmetry and adverse effect on the legibility of the hierarchy across the floors of the building would therefore be publicly visible. As the proposal would harm the special interest of a building that makes a positive contribution to the character and appearance of the CA, the character and appearance as a whole would not be preserved or enhanced.
16. The SPD highlights the sensitivity of rooflines to change within the CA and sets out that the symmetry of houses designed as pairs should be retained. Moreover, the map at figure 56 of the SPD guides that roof extensions along Clifton Hill may not be acceptable. The content of the SPD thus reinforces my above assessment.
17. I accept that there are dormer windows along Clifton Hill and in the area more generally, however, these are typically located on properties with much steeper, more visible roofs and not on those with Classical proportions. I accept that a dormer window is present to the rear of No 30, however, this appears to be an isolated example. Given that it is the building itself, with its own individual character that is recognised for its special interest, the presence of dormer windows on different unrelated listed buildings nearby with likely different histories to the appeal property, is not justification for a dormer

window here. Moreover, evidence of existing harm to the CA is rarely justification for additional harm.

18. As such, for the above reasons, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building of 18 and 20, Clifton Hill, or any features of special architectural or historic interest which it possesses. In addition, it would fail to preserve or enhance the character or appearance of the CA. This would be contrary to the requirements of sections 16(2), 66(1) and 72(1) of the Act. For the same reasons it would cause harm to the significance of these designated heritage assets.

Public Benefits and Balance

19. With reference to Paragraphs 201 and 202 of the National Planning Policy Framework (the Framework), in finding harm to a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and nature of the proposal, I find that the harm in this instance would be 'less than substantial' but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
20. The appellant acknowledges that the proposal causes harm to the significance of the listed building, and concludes that any harm to the CA should be afforded very little weight due to the small-scale nature of the proposal.
21. I acknowledge that the proposal would considerably improve the ceiling height of the attic space and make it a viable bedroom for current and future generations. The increase in size of the dwelling would result in an optimisation of the land upon which it is built. This would represent an intensification of development within an urban area, which the appellant argues is supported by Policy 1 of the CP. Whilst that may be the case, such a policy objective could be achieved without harm to listed buildings, given that listed buildings represent only a small proportion of dwellings within the Plan area. However, the proposal is inherently small-scale, resulting in the addition of a bedroom to a single dwelling and as such the benefits in this regard are inevitably limited.
22. Nonetheless, the addition of a bedroom would primarily be of private benefit to the appellant and any future occupiers. There is no compelling evidence that the proposal is necessary to secure the optimum viable use of the building. On this basis the proposal does not provide the clear and convincing justification for the harm, as required by paragraph 200 of the Framework.
23. The public benefits are consequently not sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage assets.
24. The proposal would not preserve the Grade II listed building of 18 and 20, Clifton Hill, or any features of special architectural or historic interest which it possesses. It would also fail to preserve or enhance the character or appearance of the CA. This would be contrary to the requirements of sections 16(2), 66(1) and 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance heritage assets. The harmful impact would also be contrary to Policies 38, 39 and 40 of the CP which together seek

to ensure proposals are of a high-quality design that conserves and enhances heritage assets and safeguards townscape and the historic environment.

Other Matters

25. I note the support for the proposal from a local Councillor and a local resident. However, I have found that the proposal results in harm to designated heritage assets which carries considerable importance and weight. The appellant has referred to a possible basement extension, however that is not the scheme before me and it would not be appropriate for me to pre-judge any future scheme for such a development.

Conclusions

26. *Appeal A:* The proposed development would conflict with the development plan. There are no material considerations that indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.
27. *Appeal B:* For the above reasons and having regard to all matters raised I conclude that Appeal B should be dismissed.

Paul Martinson

INSPECTOR