
Appeal Decision

Site visit made on 4 March 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21.03.2024

Appeal Ref: APP/X5990/D/23/3328481

176 Third Avenue, London W10 4HR

- 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 Richard How against the decision of Westminster City Council.
 - The application Ref 23/01996/FULL, dated 24 March 2023, was refused by notice dated 22 June 2023.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension in accordance with the terms of the application Ref 23/01996/FULL, dated 24 March 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: AAR-PL-001-A, AAR-PL-100-A, AAR-PL-101-A, AAR-PL-102-A, AAR-PL-103-A, AAR-PL-104-A, AAR-PL-201-A, AAR-PL-202-A, AAR-PL-203-A and AAR-PL-204-A.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Preliminary matter

2. A revised version of the National Planning Policy Framework (the Framework) was published on 19 December 2023, during consideration of the appeal. Having regard to the changes in the Framework and to the comparatively minor scale and nature of this appeal proposal, I consider that further consultation on this matter is not necessary.

Main issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Queen's Park Estate Conservation Area.

Reasons

4. 176 Third Avenue is an end of terrace house sitting within the conservation area. The Council's Supplementary Planning Document *Conservation Area Audit – Queen's Park Estate* (CAA) advises that the area was developed starting in the late 19th Century with an aim to build decent accommodation for the working classes at a time when overcrowding and squalid living conditions were rife amongst the poor in London. The estate was laid out in terraces of 2 storey cottages with gardens, marking a change in style from the blocks of social housing provided by charitable bodies in inner London at the time. The CAA further confirms that the houses here are small in scale, with a hierarchy of design.
5. Third Avenue is lined by modestly sized but well-detailed terraced houses. No 176 is typical of the street, except that its back garden is dominated on one side by a high, blank brick wall that forms the back of the neighbouring properties on Symphony Mews. Its heritage significance stems from its value as a good example of this type of workers' housing and its group value with the rest of the terrace.
6. No 176 has a single storey flat roofed extension at the back. The proposal is to build over part of this, with a lean-to, mono-pitch roofed extension that would back onto the high boundary wall.
7. The proposed first floor extension would be lower and smaller than the main house, with matching materials and design details so that it would be a subsidiary and complementary feature. It would break up the massing of the bland and visually dominant brick wall on the Symphony Mews boundary, adding visual interest. It would not be seen from the street or the Symphony Mews properties and would enhance views from the backs of the neighbouring properties in Third Avenue.
8. Although most other rear extensions to this part of the terrace are single storey, the proposal is well-designed to fit in with its particular context. I conclude that it would enhance the character and appearance of the conservation area. The proposal therefore accords with Policies 38, 39 and 40 of the City Plan 2019-2040 and policy 5 of the Queens Park Community Council Neighbourhood Plan 2020-2040, which aim to ensure that developments are sensitively designed to conserve and enhance heritage assets and positively contribute to the townscape and streetscape, embracing new design while respecting and preserving local character. In coming to this conclusion, I give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
9. The Queen's Park Community Council raises an additional concern about the effect on outlook from neighbouring properties. The extension would, however, be set away from the boundary with No 178 next door and the high brick wall would remain the dominant feature. The proposed extension would therefore have a negligible effect on neighbours' outlook.
10. I impose a condition specifying the relevant plans to provide certainty. A condition requiring the use of matching material is needed to protect the character and appearance of the house and the conservation area.

11. I find that the proposal accords with the development plan, taken as a whole. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR