
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/23/3333974

50 Acacia Road, London NW8 6AL

- 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 Kingsley Nwagbo against the decision of Westminster City Council.
 - The application Ref 23/04784/FULL, dated 12 July 2023, was refused by notice dated 5 September 2023.
 - The development proposed is a new front entrance porch.
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Decision

1. The appeal is allowed and planning permission is granted for a new front entrance porch in accordance with the terms of the application Ref 23/04784/FULL, dated 12 July 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: HRL-A-GA-EX-ZZ-XX-00 (Existing and Proposed Site and Location Plans), HRL-A-GA-EX-ZZ-XX-00 (Existing Drawings) and HRL-A-GA-PR-ZZ-XX-00 (Proposed Drawings).
 - 3) The finish of the external surfaces of the development hereby permitted shall match that of the existing windows on the front elevation of the building.

Preliminary matters

2. The appeal was made by the Zedra Trust Company (Isle of Man) Limited as Trustee of the Arran Settlement, but has continued in the name of Mr Kingsley Nwagbo, the applicant.
3. 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

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the St John's Wood Conservation Area.

Reasons

5. 50 Acacia Road is a sizeable detached house located in a prominent position in the street scene and the conservation area. The Council's Supplementary Planning Document *Conservation Area Audit – St John's Wood* (CAA) advises that this area was developed over the 19th Century with broad avenues of detached and semi-detached villas in substantial grounds, establishing a new model of suburban style and giving St John's Wood its distinctive character.
6. The CAA further advises that the townscape of St John's Wood is enlivened by use of a range of architectural detail including Classical, Italianate, Grecian and picturesque Gothic. It says that porches, window and door surrounds, friezes, cornices and moulded parapets provide relief to large areas of stucco or brickwork.
7. Many of the houses on Acacia Road show strong elements of Georgian architecture. Although a 20th Century addition, No 50 is designed in a neo-Georgian style that sits comfortably within the street, complementing the older houses. It is noted in the CAA as an unlisted building of merit. Its original, extravagantly designed, ornamental front door canopy and surround were removed some years ago, leaving the house with an uncharacteristically plain frontage. The proposal is to install a new porch canopy of simpler design but with a similar door surround.
8. I see no need to replicate the original, 20th Century canopy of this unlisted building. The more modest new canopy would fit in well with the variety of different canopies apparent on the buildings in Acacia Road and referenced in the CAA, in terms of design and scale. Although deeper than the original canopy, it would still be only a shallow and proportionate projection. It would leave the door and the fan light over the door intact and add interest to the front elevation. It would be painted white to contrast with the building's brickwork and to match in with other canopies in the street scene. Although the Council considers the proposal to be a crude design that would clutter the front elevation, I find it to be a well-designed and appropriate response to the architecture of the house and the street scene.
9. I conclude that the proposal would enhance the character and appearance of the conservation area. It therefore accords with Policies 38, 39 and 40 of the City Plan 2019–2040 and the CAA, which aim to ensure that developments are sensitively designed to conserve and enhance heritage assets and positively contribute to the townscape and streetscape. 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.
10. I impose a condition specifying the relevant plans to provide certainty. Matching the finishes to those of the existing windows is necessary to protect the character and appearance of the house and the conservation area. The

Council also suggests a condition to control construction hours, but I find no need for this in connection with such a small scale development.

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