



Appeal Decision

Site visit made on 2 April 2024

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 May 2024.

Appeal Ref: APP/X5990/W/23/3324054

141A Praed Street, City of Westminster, London W2 1RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Great British Collections Ltd against the decision of Westminster City Council.
 - The application Ref is 23/00482/FULL.
 - The development proposed is described as alterations to an existing residential unit to include construction of a third floor mansard, including new dormer windows to front and rear and four conservation type rooflights.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to an existing residential unit to include construction of a third floor mansard, including new dormer windows to front and rear and four conservation type rooflights at 141A Praed Street, City of Westminster, London W2 1RL in accordance with the terms of the application, Ref 23/00482/FULL, subject to the conditions in the attached schedule.

Preliminary Matters

2. The proposal lies within the Bayswater Conservation Area ("the CA"). Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 places a duty on decision makers with respect to any buildings or land within a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the area including the CA.

Reasons

4. The significance of this part of the CA is defined, in part, by the uniformity of groups of buildings. Further interest is derived as each group has variation when compared to the other groups. The result of this creates a positive group value to the streetscape where the impression of unity is blended with an element of diversity achieved through group variation. This, when read as a whole, creates a coherent and pleasant appearance to these buildings.
5. These distinct groups are most notable at roof level. The first group relevant to this appeal is 133 – 139 Praed Street, this group features mansard roofs with dormer windows behind parapet walls. The next group, 141 – 151 Praed Street, comprises lower scaled and butterfly roofs behind parapet walls. Finally,

- 153 – 161 Praed Street feature mansard style roofs with windows also behind parapet walls. Each of these three groups has an individual group value which contribute overall to the prevailing impression of group unity in this street scene.
6. The appeal site sits at the transition between Nos 133 – 139 and Nos 141 -151. It currently comprises a butterfly style roof which sits behind a parapet wall to both sides. The appeal proposal includes the erection of a mansard style roof at third floor while retaining the parapet walls. This part of the proposed development would include dormer windows to the front and rear with extended party wall and chimney stacks, broadly taking its design cues from Nos 133 -139.
 7. While the proposed development would be at odds to the group of buildings Nos 143-151 and despite the moderately narrower depth of Nos 141-151, the proposed development's transitional siting would allow it to integrate and be read as a continuous part of the established form of Nos 133 – 139 particularly as it takes its design cues from Nos 133 – 139 to both the front and rear proposed roof design.
 8. Therefore, when experienced as a whole, the coherence of each group would not be harmed and the unity of three distinct groups would be retained. This would ensure the contribution these groups of buildings make to the prevailing character and architectural quality of the surrounding townscape including the significance of the CA would be preserved.
 9. The Council state that harm arises from the loss of the butterfly roof as a traditional simple roof form. However, it has not been robustly shown what adverse harm would arise from the loss of this roof form in principle. Particularly as views from public vantage points of this existing roof are limited. I appreciate some higher-level views overlook the appeal site, however as indicated above, I have found no harm would arise from the proposed development.
 10. While there is some moderate variation between the buildings along this street scene such as window designs and materials, this does not detract from the roof scape and the important characteristics of the group values which as set above is principally defined by the roof features.
 11. I have considered the other appeal decisions as submitted by the Council¹. I note that these appeals were all dismissed and involved mansard style roof developments. However, these cases appear different insofar as they involved development on sites where the additional height above the roofs would have appeared as bulky roof level additions interrupting the flow of the established roofline.
 12. In the appeal before me I have found the appeal site to be at a transitional location and it would be sensitive to the established form of Nos 133 – 139 which it sits adjacent to. Accordingly, it would not interrupt the flow of the established roofline. These other appeal decisions therefore have limited bearing on my overall findings.
 13. The proposed development would therefore preserve the character or appearance of the area including the CA. As a result, it complies with the

¹ APP/X5990/W/22/3308639, APP/X5990/W/21/3283933 and APP/X5990/W/22/3299546.

relevant provisions of Policies 38, 39 and 40 of the Westminster City Plan 2019 - 2040 (2021). These, amongst other things, seek to preserve or enhance the significance of the character or appearance of the area including heritage assets.

Other Matters

14. Compliance with building regulations and control of waste are matters of importance, however, these matters are broadly controlled outside of the planning regime.

Conditions

15. I have had regard to the conditions suggested by the Council and, where appropriate, merged conditions or amended the suggested wording in accordance with national Planning Practice Guidance².
16. I have imposed the standard commencement condition and one specifying the approved plans for the sake of certainty. A condition regarding materials is also required in the interests of the character of the area including heritage assets. It is also necessary to impose a condition in respect of noise to protect neighbouring living conditions.

Conclusion

17. For the above reasons, having regard to the development plan as a whole and all other relevant considerations, the appeal is allowed.

N Praine

INSPECTOR

² Paragraph: 003 Reference ID: 21a-003-20190723

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Schedule of conditions attached to planning permission (4 in total)

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The roof shall be finished in natural slate and all other new work to the outside of the building must match existing original work in terms of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required by conditions to this permission.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 22/62/00 23/01/01; 23/01/08 A; 23/01/09 B; 23/01/10 A and 23/01/11 B.
- 4) Except for piling, excavation, and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - between 08.00 and 18.00 Monday to Friday;
 - between 08.00 and 13.00 on Saturday; and
 - not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation, and demolition work only:

- between 08.00 and 18.00 Monday to Friday; and
- not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety).

End Schedule