



Appeal Decision

Site visit made on 6 November 2024

by A Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

Appeal Ref: APP/X5990/D/24/3347826

68 Westbourne Park Villas, London W2 5EB

- 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 Carmen Chevalier-Firescu against the decision of the Council of the City of Westminster Council.
 - The application Ref is 24/00737/FULL.
 - The development was originally described as roof demolition and rebuilt with rear and side dormers; replacement of windows throughout, alterations to the existing fenestration within the upper floor rear elevation; installation of fenestration within the new dormers at rear and flank elevations; brick out/turn front elevation window to door at front lightwell, tidy up courtyard hardscape; and installation of AC Split System Evaporators located on former tank enclosure and replaced with acoustic screens.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of the application, the development had already commenced, and I saw at my site visit that the works appear to be substantially complete. I have therefore considered the appeal on this retrospective basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the Westbourne Conservation Area (WCA).

Reasons

4. The site is positioned along the northern edge of the WCA with railway lines opposite and the remainder of the WCA to its rear. The WCA is mainly characterised by long terraces of dwellings or semi-detached villas dating from the 19th century. The use of brick, slate roofs and stucco cement facing or cast stucco ornament are identified in the Westbourne Conservation Area Audit (2002) as common elements. The significance of the WCA is informed by these common features.
5. The existing dwelling, although the end property in a terrace of four, is characteristic of a 19th century villa. It has a prominent central front stucco pediment which reflects that at the other end of the terrace at No 74, hence providing an attractive symmetry. Due to its villa style design including its stucco cement pediment ornamentation, it makes a positive contribution to the WCA. This is not disputed by the main parties.

6. At the front, there have been alterations to the roof at no 74, either side of its pediment, and to the roofs at nos 70 and 72. However the overall form of the roof at no 74, and the prominence of its pediment, remain. Indeed, when viewed from the east, the alterations at no 74 are set back behind the pediment and appear to be lower than the chimney stack on the boundary with no 72. When seen from the west the alterations are partially hidden by the side parapet wall, and partly by the neighbouring dwelling.
7. The roof extensions at the appeal site are more conspicuous. The alteration to the west is almost as tall as, and sits further forward than, the chimney stack on the boundary with no 70, appearing as a prominent addition when seen from the west. The appellant suggests that the lead covering to this dormer infill has been mistakenly wrapped around the boundary parapet and that its removal, and its replacement with slate tiles, could be secured by condition. However, the removal of this covering would not mitigate the bulk of this infill alteration.
8. The side dormer on the east side of the roof is set considerably further back but is also visible in the street scene across the hipped roof of the neighbouring terrace at nos 60-66. There are no other side dormers in the immediate vicinity and therefore this dormer appears incongruous.
9. In combination, these alterations harm the appearance of the dwelling in the street scene, detracting from the prominence of the pediment and unbalancing the symmetry of the terrace.
10. To the rear a dormer has been provided with full length glazed doors opening to a glazed Juliet balcony. The dormer is faced with slate and the glazed doors break through the eaves.
11. There are roof level alterations at all of the other dwellings in the host terrace. At no 70, the rear brick elevation has been continued up to roof level with metal railings along its top; at no 72 there is a slate faced mansard style roof topped with railings, and containing two full height windows opening to Juliette balconies, and at no 74 a wide window at roof level has been provided, flanked by a continuation of the brick elevation below on one side, and by a mix of brick and slate on the other. There are also rear dormers at the adjoining terrace at nos 60-66.
12. The rear dormer, by resulting in the loss of the hipped roof, incorporating slate flanks, providing glazed doors and a Juliette balcony, is generally in keeping with the other roof alterations provided. It does not reflect the pattern of the sash windows below and breaks through the eaves by removing a section of parapet wall. But none of these aspects render this part of the development incongruous in its setting.
13. Nonetheless, because of the prominence of the works to the front and the unbalancing of the host terrace, the development harms the character and appearance of the building and so fails to preserve the character and appearance of the WCA. This carries great weight.
14. However, this harm is less than substantial. As such, paragraph 208 of the National Planning Policy Framework (the 'Framework') states that that harm should be weighed against the public benefits of the development.

15. The appellant suggests the renovation of the property, including the front façade, is of public benefit. It is clear, from the photos provided, that parts of the roof were in a poor state of repair and that the walls were cracking. However whilst the preservation of a building which makes a positive contribution to the WCA is of benefit, I am not convinced that this, and the consequent improvement of the quality of housing, could not have been achieved without the harmful enlargement of the roof. I note that the structural report suggests extending the flat roof section slightly further forward is to allow a beam to be provided to reduce the load on the front wall. But I see no reason why it is necessary for the roof to be extended so far forward and further forward than the dormer on the east side of the ridge. As such it has not been satisfactorily demonstrated that the public benefits outweigh the harm to the heritage asset.
16. Overall, the development harms the character and appearance of the WCA. It therefore conflicts with policies 38, 39 and 40 of the Westminster City Plan (2021) which together seek to ensure that development contributes positively to the streetscape having regard to the character and appearance of the existing area, and that heritage assets and important elements to the townscape are conserved.
17. The Council have no objection to the alterations to the front lightwell, the installation of air conditioning units and replacement windows throughout the property. I have no reason to disagree.

Conclusion

18. The development fails to accord with the development plan as a whole and there are no other considerations, including the provisions of the Framework, that indicate a decision other than in accordance with the development plan. Therefore the appeal is dismissed.

A Owen

INSPECTOR