



Appeal Decision

Site visit made on 16 May 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 June 2025

Appeal Ref: APP/X5990/W/24/3356854

70 Castellain Road, City of Westminster, London W9 1EX

- 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 Mr B Kala against the decision of the City of Westminster Council.
 - The application ref is 24/06589/FULL.
 - The development proposed is erection of new front dormer and erection of extensions to rear roof slope and removal of chimney to rear and installation of raised parapet wall along west elevation, with associated railings above parapet wall along the side and rear to form terrace on rear roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is situated within the Maida Vale Conservation Area (CA) wherein I have a statutory duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
3. The appellant states that revised layout plans were submitted during the application, reference 2024274.PA101 Rev. P02 and 2024274.PA102 Rev. P02. However, the Council's decision notice refers to the superseded versions P01. I have been provided copies of both revisions for each of the plans and note that the changes are minor, relating to annotations to the internal layout to confirm the appeal site relates to a single flat. These in my view would not be worthy of a re-consultation process. I have assessed the proposal against the later revisions. Given that the changes relate to the internal layout, neither of the main parties have been prejudiced by this approach.

Main Issue

4. The main issue is the effect of the proposal, specifically the front roof dormer, on the character and appearance of the host building and whether the proposal would preserve or enhance the character or appearance of the Maida Vale CA.

Reasons

5. The appeal site is situated within the Maida Vale CA, which is primarily a Victorian and Edwardian residential suburb. Insofar as is relevant to this case, the significance of the CA is partly informed by the historic layout and structure of architecturally significant avenues and crescents, which originally related to the geometry of the Grand Union Canal towards the south of the CA.

6. The appeal site forms part of an Edwardian terraced row which is a typical example of a distinct smaller scale development within the larger context of taller nearby Lauderdale Mansions. The terraced row has two street facing frontages. Along Lauderdale Road, the frontage features a parade of commercial units at street level, with three storeys and an attic level. The terraced row is largely uniform and positively contributes to the CA through its architectural features.
7. The appeal site is a mid-terrace, forming one of the buildings with a horizontal parapet frontage. The windows of the building largely comprise of top hung casements. The attic as existing is served by a roof dormer of modest proportions. Roof dormers along Lauderdale Road are a consistent later addition feature within the terraced row, albeit their scale and proportions vary. The inconsistency in roof dormers within the terraced row does detract from the character and appearance of the CA. The residential function of the terraced row is served by the Castellain Road frontage. Most of the row have existing rear roof extensions which serve as areas of outdoor amenity space.
8. The Council's concerns in relation to the rear extension relate specifically to the detailing of the fenestration. However, this could be overcome through suitably worded conditions were the appeal proposal to be otherwise acceptable. I have therefore identified no specific harm in relation to the elements of the proposal to the rear extension.
9. Whilst the proposed roof dormer to the front of the building would be set within the existing parapet wall, it would have significantly increased proportions, both horizontally and vertically, when compared to the existing modest roof dormer. The height of the proposed roof dormer would be more than the height of the window openings on the storey below, and the total width wider than the window openings below. Both of these design approaches are specifically discouraged through the City of Westminster (CoW) supplementary planning guidance on roofs. Coupled with the bulky lintel detail, the proposed roof dormer would appear top heavy to the host building which it would relate. It would therefore fail to respect the proportions of the host building and would not be a harmonious addition to the building.
10. The roof dormer proposed in the appeal scheme would have an increased scale and proportion, not just in comparison to the existing modest dormer, but also in comparison to other dormers within the terraced row. I therefore disagree with the appellant that it would re-introduce an element of symmetry and rhythm to the row. Instead, the proposal would detract from the character and appearance of the CA, and create confusion to the hierarchy of development form, noting that the appeal site forms part of a distinct smaller scale development form when compared to the larger Lauderdale Mansions.
11. The proposal, specifically the front roof dormer, would have a harmful impact on the character and appearance of the host building and would fail to preserve or enhance the character and appearance of the Maida Vale CA, harming its significance as a whole. The proposal would conflict with Policies 38 and 39 of the CoW City Plan (CP) (2021). These require, amongst other matters, for developments to have regard to heritage assets and ensure that heritage assets and their settings are conserved and enhanced, in a manner appropriate to their significance. It would also conflict with Policy 40 of the CoW CP which partly relates to roof extensions. In this respect, Policy 40 states that roof extensions will be supported in principle where they do not impact adversely on heritage assets.

Planning Balance

12. The National Planning Policy Framework (the Framework) describes heritage assets as an irreplaceable resource, that should be conserved in a manner appropriate to their significance. Paragraph 212 of the Framework is clear that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
13. Given my findings above, I find the harm to the CA to be less than substantial, but nevertheless of considerable importance. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
14. I acknowledge that the proposal would enhance the living accommodation within an existing residential unit and provide an area of outdoor amenity space, but these are largely private benefits. It would however also re-instate the parapet form at the rear of the building which does constitute a minor heritage benefit and consequently a minor public benefit. Nevertheless, this does not outweigh the harm to the significance of the CA, to the conservation of which the Framework requires that great weight be given.

Conclusion

15. I conclude that the proposal would fail to satisfy the requirements of the Act, the Framework, and it would not be in accordance with the development plan, when read as a whole. For the reasons given above, and having considered all matters raised, the appeal is dismissed.

L Gardner

INSPECTOR