



Appeal Decision

Site visit made on 24 July 2025

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th August 2025

Appeal Ref: APP/X5990/W/25/3358529

105 Westbourne Grove, City of Westminster, London W2 4UW

- 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 T Russell against the decision of City of Westminster Council.
 - The application Ref is 24/06015/FULL.
 - The development proposed is the erection of a mansard roof extension with green roof, in connection with Embassy use (*sui generis*).
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a mansard roof extension with green roof, in connection with Embassy use (*sui generis*) at 105 Westbourne Grove, City of Westminster, London W2 4UW in accordance with the terms of the application, Ref 24/06015/FULL, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development was altered during the planning application to include the material change of use for the Embassy as well as the proposed mansard roof extension. The description of development set out above is from the Decision Notice and the appellant's appeal form. The Embassy use has seemingly operated for several years. I have considered the appeal on this basis.

Main Issues

3. The main issues are (a) the effect of the Embassy use on the provision of office space and nearby residents' living conditions and highway safety, with regard to the type and nature of activities and parking and servicing arrangements; (b) whether the proposed development would preserve or enhance the character or appearance of the Westbourne Conservation Area ("CA"); and (c) whether the proposal would provide adequate cycle parking and cycle facilities.

Reasons

Embassy use

4. The appeal property is a four-storey mid-terraced building within the Queensway and Westbourne Grove Major Centre. The terrace and the wider area is characterised by a range of commercial uses on the ground floor, with residential or other uses on the upper floors, which create a bustling environment.
5. The Embassy operates between 09:00 and 17:00 on weekdays, with no evening or weekend opening hours. The Embassy provides administrative and consular services such as passport processing, consular registrations, and assistance. This involves comings and goings, which involve pre-booked appointments, which means that there are predictable, manageable visitor patterns and numbers.

6. People travelling to and from the Embassy, including staff, are encouraged to use public transport. The appeal site lies in an area with a Public Transport Access Level rating of 6a, which means that it is a highly accessible location. The excellent transport links do dissuade people from travelling by car, especially as there is no on-site car parking provision and there are restrictions in the area for on-street parking. In any event, given the opening hours, the use of pre-booked appointments, public transport services, and the surrounding environment, the use does not harm residents' living conditions or lead to highway safety issues. Furthermore, there is no substantive evidence to suggest that deliveries, which are said to reflect that of an office space of a similar size, have caused any harm to residents' living conditions or affected highway safety.
7. The Embassy use has resulted in the loss of around 109m² of office space, even though the space is used in a similar manner. However, there are no development plan policies which protect office space provision in this location. Therefore, its loss is acceptable even if diplomatic activity mainly takes place within the Central Activities Zone. There would also be no adverse effect on the character of the area arising from the use, given the variety of uses found locally.
8. For these reasons, I conclude, on this issue, that the Embassy use would not harm the provision of office space, nearby residents' living conditions or highway safety, with regard to the type and nature of activities and parking and servicing arrangements. As such, the proposal accords with Policies 7, 24, 27, and 33 of the City Plan 2019 – 2040 ("City Plan") which seek, among other things, to protect amenity by preventing unacceptable impacts and to create a sustainable pattern of development which maximises trips made by sustainable modes.

Character and appearance

9. Westbourne Grove is one of the two principal east-west thoroughfares in the CA. The architecture varies along its length, which reflects the protracted period of its development. Terraces, like the one that the appeal property forms part of, are common in Westbourne Grove and the wider CA. Elsewhere the CA is characterised by villa-style developments. The terraces and the villas display a broadly consistent linear roofscape, and they are attractive buildings that contribute to the street scenes.
10. City Plan Policy 40 explains that roof extensions will be supported in principle where they do not impact adversely on heritage assets and should, where part of a terrace with an existing roof line unimpaired by roof extensions, take a coordinated approach, adding roof extensions of consistent and appropriate design to each property across the terrace.
11. The terrace that the appeal property forms part of has two uniform four-storey sections which are split into two by a three-storey property with a mansard roof and dormer windows in the centre. This property differs from the other properties in the terrace and their concealed flat roofs, as it is lower in scale and interrupts the consistent roofline of the remainder of the terrace with its different roof form. Hence, the terrace is therefore both uniform and non-uniform in its character and appearance. As such, the terrace does not have an entirely unimpaired roofline.
12. The proposed roof extension would interrupt the uniform element of the terrace, but it would also be viewed in conjunction with the central property in the terrace. Furthermore, there are examples of mansard roofs within the CA a short distance from the appeal site at 115 and 121-125 Westbourne Grove. These examples are

on terraces of a similar height. Planning permission has also been granted for mansard roof extensions to 82, 84, and 86 Westbourne Grove on the opposite side of the road from the appeal property. Therefore, there are mansard roofs in the vicinity, albeit they are on separate terraces.

13. The proposed extension would add vertical emphasis to the host property and the terrace, but the size and bulk of the extension would be proportionate to the host property. It would be set behind and slightly back from parapet walls to the front and rear, which would lessen its presence when viewed from Westbourne Grove in either direction, from Monmouth Road to the east and from Hereford Road to the west. Furthermore, the proposed extension would respond to the scale and bulk of the terrace directly opposite and to the west, both of which either include mansard roofs or have planning permission for them. Bearing that latter in mind in particular, the design of the proposed extension would be finished with traditional slate cladding and include suitably sized and placed dormer windows to the front and rear that would respond to the property's existing fenestrations. I note the scheme's granted planning permission at Noss 82 and 84 contained a similar description of works to the roofs of those properties.
14. I do not consider the proposal to amount to an overdevelopment given the need to make effective use of land. Nor would the proposal set an unwelcome precedent for similar extensions due to the other mansard roofs in the area. Sufficient distances characteristic of the area would also be maintained to nearby residential properties to ensure that there would be no loss of privacy for them. Or for those residents who are closer, there would be oblique views that would, in addition to the hours that the Embassy is in use, ensure that residents would not experience unacceptable impacts.
15. I therefore conclude that the proposed roof extension would be of a consistent and appropriate design to the appeal property and the terrace that it forms part of, which does not have an entirely unimpaired roofline. As such, the development would have regard to the character and appearance of the existing area, adjacent buildings and heritage assets, the materials, form, scale, height and massing of development in the area. A neutral effect would be caused to the CA's significance, which would mean that the proposed development would conserve the character and appearance of the CA and ensure that the proposal would accord with City Plan Policies 38, 39, and 40. Consequently, it is not necessary to consider whether there are any public benefits.

Cycle parking and facilities

16. The appeal property's narrow stairwell and limited communal space mean that it is not possible to provide cycle storage in accordance with the minimum standards set out in Table 10.2 and Figure 10.3 of The London Plan. By extension this also brings the proposal into conflict with City Plan Policy 25 and London Plan Policy T5. Hence, staff and visitors would have no option but to use public facilities. There are, however, three TfL docking stations a short walk from the property. As these form part of a network of such facilities, staff and visitors would have the option of using this facility for journeys to and from the appeal property. Therefore, no material harm would arise from the lack of cycle facilities at the appeal property.
17. While a planning condition is suggested to secure cycle facilities at the appeal property, I am of the view that there would be practical difficulties in delivering these, and their subsequent use, owing to the use of the ground floor, the location of the stairs, and the likely need for people to move bicycles up and down one or

more flights of stairs to access the Embassy. Further, given my findings about public facilities, such a condition would not be necessary or relevant to the development to be permitted.

18. This leads me to conclude, on this issue, that the proposal would accord with City Plan Policy 25 and London Plan Policy T5, which jointly set out cycle parking and facility standards to encourage travel by bicycle.

Conditions

19. I have imposed an approved plans condition in the interests of certainty. In the interests of residential occupiers in the area, conditions are necessary to control construction hours and the opening hours. I have extended those slightly compared to how the Embassy is used given the locality. To ensure that the character and appearance of the CA is preserved, a condition is necessary to secure the use of matching materials. To increase biodiversity in the area, details of the living green roof are required along with information on how it would be maintained in the future.

Conclusion

20. The proposal accords with the development plan, and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
21. For the reasons given above, I conclude that the appeal should be allowed.

Andrew McGlone

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with drawing nos PL100A; PL211A; PL311A; and PL312A.
- 2) The use hereby permitted shall only take place between the following hours: 08:00 – 18:00 Mondays – Fridays, with no opening on Saturdays, Sundays, Bank or Public holidays.
- 3) 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).
- 4) All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission.
- 5) Before the roof extension hereby permitted is first used you must submit details to and obtain approval in writing from the local planning authority of the living green roof together with measures to maintain and retain the living green roof. The green roof shall be implemented and maintained before the roof extension is first brought into use, and you must not remove any of the living green roofs features thereafter.

END OF SCHEDULE