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## Appeal Decision

Site visit made on 9 April 2025 by S Wilson LL.B. MSc MRTPI

### Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2025

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### Appeal Ref: APP/X5990/D/25/3360612

#### 57 Acacia Road, London NW8 6AG

- 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 Sir and Lady Bernard and Karen Rix against the decision of City of Westminster Council.
  - The application Ref is 24/06348/FULL.
  - The development proposed is demolition of existing single storey pitch roofed side extension, construction of a front extension to an existing flat roofed side extension and provision of a new flat roof structure.
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**This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 3 September 2025.**

### Decision

1. The appeal is allowed, and planning permission is granted for the demolition of existing single storey pitch roofed side extension, construction of a front extension to an existing flat roofed side extension and provision of a new flat roof structure, at 57 Acacia Road, London NW8 6AG, in accordance with the terms of the application, 24/06348/FULL, subject to the conditions set out below.
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: L(-1)02; L(-1)12; L(-2)01; L(-2)02; L(-2)11; L(-2)12; L(-3)01; L(-3)13; L(-3)02; L(-3)03; L(-3)11; L(-3)12; L(-4)01; L(-4)02; L(-4)11; and L(-4)12.

### Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the St John's Wood Conservation Area (CA).

### Reasons for the Recommendation

4. The appeal property is a two-storey detached dwelling with large front boundary wall and gates, a sizeable front garden and modern additions to the side and rear.

There is no rear garden as the rear of the property meets the boundary of a large new development. It is located within the CA and the CA Appraisal (CAA) notes that there are many St Johns Wood villas in Acacia Road which are worthy of preservation; detailing their detached nature, extensive gardens and spaces in between. It also notes that others could be redeveloped.

5. Whilst the CAA considers all unlisted buildings within the CA as '*unlisted buildings of merit*', the Council maintains that the property is an '*undesigned heritage asset*'; however, there is no supporting evidence to demonstrate its historic merit or significance and notably no consultee comments from a heritage professional. An unlisted building of merit would make a positive contribution to the CA, whereas a Non-Designated Heritage Asset (NDHA) would be afforded protections in its own right.
6. The National Planning Policy Framework 2024 (the Framework) defines a heritage asset as: '*A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes assets identified by the local planning authority (including local listing)*'. The Planning Practice Guidance provides that it is important that all NDHAs are clearly identified as such. In this context, it can be helpful if local planning authorities keep a local list of NDHAs. Given the lack of evidence submitted to demonstrate its historic significance and the omission of any input from a heritage professional, I cannot be certain that the appeal property is a NDHA.
7. The proposal would replace visually and materially mis-matched modern extensions with a design that matches the materials and fenestration pattern of the dwelling house whilst remaining subservient and legible as an extension to the original dwelling, due to its setback and single storey nature. The ground floor extension and its relationship with the adjacent property would maintain a sense of separation, allowing views to the rear, a characteristic of the area.
8. Whilst the GRP roof material is not a characteristic material of the building period, its use would be well obscured from view by the proposed parapet and its impact would be minimal due to the fact that it would only be visible as a fascia material in glimpses from other locations. The overall outcome would be an improved appearance to the front elevation, enhancing the character and appearance of the host dwelling and consequently maintaining and improving the character and appearance of the CA. Even if I were to have considered the appeal property was a NDHA, for these same reasons, I would not have found that the proposed development would have caused harm to its significance.
9. Accordingly, the proposal would comply with Policies 38, 39 and 40 of the City of Westminster City Plan 2019-2040 (April 2021) and the relevant paragraphs of the Framework insofar as they seek high quality, sensitively designed development that conserves and enhances the historic environment.

## Other Matters

10. The St John's Wood Society raises some concerns but defer to the conservation officer. However, I note that there is no evidence of any comments from the Conservation Officer and therefore I have addressed their concerns above.

### **Conditions**

11. In addition to the standard three-year period implementation condition, which is a statutory requirement, it is necessary, in the interest of certainty and precision, to define the plans with which the appeal scheme should accord.
12. The Council has suggested a condition requiring that the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building. Given the approved plans detail the materials to be used, this condition is not necessary.

### **Conclusion and Recommendation**

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

*S Wilson*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

*A M Nilsson*

INSPECTOR