



Appeal Decision

Site visit made on 14 July 2025

by **JJ Packman MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 October 2025

Appeal Ref: APP/X5990/W/25/3364173

Flat 5, 90 Sutherland Avenue, London W9 2QR

- 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 Zhixin Zeng against the decision of: Westminster City Council.
 - The application Ref is 24/07989/FULL.
 - The development proposed is dormer loft conversion with the installation of no3 rooflights and roof of existing front dormer to be increased in height.
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Decision

1. The appeal is allowed and planning permission is granted for dormer loft conversion with the installation of no3 rooflights and roof of existing front dormer to be increased in height at Flat 5, 90 Sutherland Avenue, London W9 2QR, in accordance with the terms of the application, Ref 24/07989/FULL, and subject to the conditions set out below.
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with drawing nos AB-R00-PR-101 Rev.R00; AB-R00-PR-102 Rev.R00; AB-R00-PR-103 Rev.R00; ABR00- PR-104 Rev.R00; AB-R00-PR-105 Rev.R00; AB-R00-PR-106 Rev.R00; AB-R00- EX-102 Rev.R00; AB-R00-EX-103 Rev.R00; AB-R00-EX-104 Rev.R00; AB-R00-EX-105 Rev.R00; AB-R00-EX-106 Rev.R00
 3. 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 approved drawings or are required by conditions to this permission
 4. Demolition or construction works shall take place only between 08.00 and 18.00 Monday to Friday, 08.00 and 13.00 Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.
 5. No development shall take place until samples of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved sample details.

6. The flat roof areas created by the development shall not be used as balcony, roof garden or similar amenity area.

Procedural Matters

2. The site lies within the Maida Vale Conservation Area (MVCA), accordingly I have paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as required by s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issues

3. The main issue is the effect of the proposal on the character and appearance of the Maida Vale Conservation Area (MVCA).

Reasons

4. The appeal property occupies the upper floor of a long, formal, mid-Victorian terrace within the MVCA. The conservation area's significance is derived from its high architectural quality, ordered, formal townscape and largely discreet and recessive roof treatment.
5. The scheme would add a rear dormer to facilitate conversion of the roof space, install three conservation-type rooflights, and slightly increase the height of the existing front dormer.
6. The rear dormer would be contained below ridge height and behind the principal roof plane. From the evidence provided and my site inspection, public views of the rear roofscape are either not available or very limited. With appropriate facing materials (secured by condition), the proposal would read as a subservient intervention and would not undermine the appreciable uniformity that gives the MVCA its character.
7. The three proposed rooflights would be of conservation type and flush-fitting. Their low profile would not visually compete with the strongly modelled parapet and upper-storey composition. In the street scene, they would present as low-key elements, perceptible on closer inspection, but not prominent.
8. The Council characterises the rear elevation as presenting "a large expanse of glazing" at a high level and therefore reading as "strikingly modern" and "highly visible from street level and numerous surrounding properties."
9. However, the dormer fenestration is broken into vertically proportioned lights separated by dormer cheek cladding and roof covering, so the proposal does not present as a single continuous sheet of glass. This preserves a recognisably traditional proportion and avoids an overtly modern appearance.
10. Public views are heavily constrained to the rear and from street level. Whilst the proposals may be visible from private premises, this does not equate to harm. With modest pane sizes and conditioned materials, the proposals would read as a subservient, recessive additions.
11. The increase in the front dormer's roof height would be minor. It would not materially alter the established parapet and eaves relationships nor draw undue attention within oblique views along Sutherland Avenue. In combination with the restrained rooflights, the dormer as altered would remain recessive.

12. Whilst there are a number of other roof extensions in the immediate vicinity these are material but not determinative as many do not have planning permission.
13. Nevertheless, the additions at No.s 92-94 demonstrate that a carefully proportioned, well-detailed roof addition can be accommodated without harm to significance. The appeal scheme contains more glazing than at No.s 92-94 but is similarly subservient (kept below the ridge; traditional cheeks; vertically proportioned fenestration), so also coheres with the established pattern of development rather than introducing a novel form. Consequently, whilst I acknowledge the Council's concern about cumulative roof-level interventions, I do not consider that the scheme would erode the character of the roofscape and hence would preserve the character and appearance of the MVCA, satisfying the duty under s.72(1). As I find no harm to the significance of the MVCA, no balancing exercise is required.
14. For the reasons set out above the proposal would not harm the character and appearance of the MVCA. Accordingly, I find no conflict with City Plan Policies 38, 39 and 40, which, amongst other matters, seek to ensure high-quality design that conserves heritage significance and responds appropriately to townscape.

Conditions

15. The Council has suggested five conditions, a standard 3 year time limit and conformity with the submitted plans, a condition requiring new work to match the existing building, and conditions relating to the timing of construction works, the submission of materials details and restrictions concerning the use of flat roof areas as a balcony.
16. I have reviewed these conditions and consider them necessary to achieve an acceptable development, protect the living conditions of neighbouring occupiers and given the conservation area designation, it is important that new proposals are consistent with the existing building in terms of construction and use of appropriate materials. It is also important to ensure that further domesticating elements are not introduced at roof level. I have revised the wording of the conditions for reasons of conciseness and clarity.

Conclusions

17. For the reasons given above, the appeal is allowed.

JJ Packman

INSPECTOR