
Appeal Decision

Site visit made on 23 September 2025

by **A Hunter LLB (Hons) PG Dip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 October 2025

Appeal Ref: APP/X5990/W/25/3367180

40 Lancaster Mews, City of Westminster, London W2 3QF

- 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 Florina Andrei of Gch Corporation Limited against the decision of the City of Westminster Council.
 - The application Ref is 25/01780/FULL.
 - The development proposed is raising the existing roof and modification at the rear part of the roof, including internal alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading above, I have used the description of development that is stated on the Council's notice of decision, as the appellant has indicated their agreement for it to be changed from that originally stated.
3. The Council has advised that its draft City Plan Partial Review (CPPR) is currently being examined, which it says attracts limited weight at this stage. I have not been made aware of any policies of the CPPR that are relevant to the appeal proposal. Consequently, I have determined the appeal on this basis.
4. The appellant has submitted various amended plans at different stages of the appeal process. After clarification, the appellant seeks to include a new existing plan (drawing no. E101-3.1/01/3.1), to omit an error relating to a lightwell on a neighbouring property, and to show an amended parapet wall height on the appeal property, in response to comments from the Council. The appellant has also asked that a revised plan (drawing no. P102/02/3.1) be accepted relating to changes to lower the height of a rear dormer extension and to omit the neighbouring lightwell from the proposed floor plans. Compared to the plans the Council refused, the height of the proposed new roof would also appear to be higher on its side elevation, in relation to an adjoining roof profile on this proposed revision. The proposed changes in the context of the proposed development could be regarded as significant. As both these plans were submitted with Final Comments, the views of other interested parties are unknown, and the appeal process should not be used to try and address reasons for refusal. Whether the existing and proposed floor plans show a neighbouring lightwell or not, it is outside of the red line on the site location plan and would not be a decisive factor. In the interests of fairness, I have therefore assessed the same plans as the Council based its decision on.

5. I have been made aware of an appeal decision¹ that was recently dismissed for a similar, but different roof extension and alterations to the appeal property. As this decision was made after the appeal was submitted, the main parties have been given the opportunity to comment on whether that appeal decision has any relevance to this appeal, and those comments have been taken into account in my decision.

Main Issues

6. The main issues are the effect of the proposed development on:
- The character and appearance of the host property, the terrace it is part of, and the Bayswater Conservation Area (the CA); and,
 - The living conditions of neighbouring occupiers, with particular regard to the outlook for the occupiers of no's 20 and 21 Craven Terrace.

Reasons

Character and appearance

7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. At paragraph 210, the Framework sets out matters which should be considered, including sustaining, and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 212 of the Framework states 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.
8. The Bayswater Conservation Area Audit No.6, Supplementary Planning Guidance, dated 13 July 2000 (CAA) refers to the CA having several distinctive areas and containing a variety of architecture. It is characterised by terraced buildings with mews buildings behind, along with public squares that are said to form a cohesive 19th century townscape. The appeal site comprises a well-proportioned, mid-terraced mews building, facing another similar row of mews buildings, and it is directly behind much taller terraced properties on Craven Terrace. It is three storeys high by virtue of a mansard roof addition, said to originate from a permission granted in 2000. There are also other mansard roofs and dormer windows set behind parapet walls on many other nearby mews properties. The appeal property is regarded as a 'building of merit', indeed the CAA says virtually all unlisted buildings are such, within the CA.
9. The appeal property's existing mansard roof is modest in scale and ensures a subordinate relationship to the main two-storey part. Like the Inspector on the earlier appeal, I find the appeal property's attractive form, along with the wider group value of the mews buildings within the row in which the appeal property is located, to contribute positively to the significance of the CA.
10. Westminster's Roofs, A Guide to Alterations and Extensions on Domestic Buildings, dated November /2004 (GEADB) says that roof alterations and

¹ Ref: APP/X5990/D/24/3357163

extensions should be designed to preserve and enhance the character and appearance of buildings and that only modest and simple dormer extensions should be included in mansard roofs. It further states that they should project from the roof slopes, be set behind the parapet wall, (so that the full height of the window is not visible from the street), and that the cill of the window should not normally spring from any point higher than the coping of the parapet, so that no roof slope is visible below the dormer. The top of the dormer windows should be lower than the junction of the upper and lower slopes (referred to as 'the knee').

11. The appeal property's existing roof is already higher than no.41's roof, and even taller than no.42's roof height. Although no.39's roof is taller than the appeal site, it helps to give a graduated appearance of roof lines from this part of Lancaster Mews. Although the proposed development is said to only be some 0.3 metres higher, the raised part of would make the host property appear significantly bulkier, increasing the separation between the top of the second-floor windows and the higher part of the roof, creating a top-heavy addition. Even though it is a modest height increase, in the context of this mews property, it would be a dominant addition that would harm its appearance and proportions, and the established pattern of roof heights on this side of Lancaster Mews and the CA,
12. The proposed rear dormer window would be as tall as the proposed higher roof form and be clad in slate, the cill height of the proposed window would also be above the existing parapet wall height, in conflict with the GEADB requirements. Its considerable scale, height, and boxy appearance would not be subordinate to the host property and further add to the increased bulk and mass of the building and the identified harm to the host property, the terrace it is part of, and the CA. Whilst the rear side would not be very noticeable from public views, it would still be seen from neighbouring occupiers and be visually intrusive, its lack of public presence should not be a reason to allow poorly designed development. I accept a condition could be imposed if the appeal were to be allowed to control the external finishes for the proposed extension, however, this would not address the identified harm in terms of its scale and design in this case.
13. The appellant has referred to planning permission for works to the second-floor level of neighbouring properties, these permissions, for those that have them, pre-date the current development plan and would likely have been considered against different planning policies. Given the relationship of the appeal property to properties on either side, particularly no's 41 and 42, and the harm identified regarding the proposed development to the appearance of the terrace, these examples have not led me to conclude differently regarding the proposed development in this case.
14. I note the Council raised no objection to the proposed rear ground floor fenestration changes, and I see no reason to disagree. Although I regard this to be a neutral factor, that does not weigh in favour or against the proposed development.
15. I therefore conclude that the proposed development would not preserve the character or appearance of the CA, contrary to the duty in the Act. The proposed development would also be harmful to the character and appearance of the host property, the terrace it is part of, and the CA, and conflict with the relevant parts of Policies 38, 39 and 40 of the City of Westminster, City Plan 2019 – 2040, adopted April 2021 (CP), which amongst other things require the design and scale of development to positively contribute to the townscape and streetscape, and ensure

the significance of heritage assets are conserved. In addition, there would also be conflict with the GEADB, in terms of the requirements, which are set out above.

Living conditions

16. There is already a close back-to-back relationship between the terraced row of mews properties and the rear side of properties facing onto Craven Terrace. The proposed development would increase the scale and bulk of the appeal property at second floor level and bring it closer to the rear windows belonging to no's 20 and 21 Craven Terrace. The change to the separation distance between these windows and the proposed new roof and dormer extension would be very small, said to be some 0.65 metres or so. In view of this, there would not be a material change to the current situation, neither would the increased scale and mass of the proposed development be harmful to the outlook for the occupiers of those properties on Craven Terrace or create an unacceptable enclosing presence.
17. I therefore conclude that the proposed development would provide satisfactory living conditions for neighbouring occupiers and comply with the relevant parts of CP Policies 7 and 38(C), insofar as they require new development to prevent unacceptable impacts including through the sense of enclosure and ensure a good standard of amenity for new and existing occupiers.

Planning Balance and Conclusion

18. For the reasons outlined above, I find that the proposed development would fail to preserve or enhance the character or appearance of the CA. There would also be conflict with policies of the development plan, I give this harm significant weight in the planning balance of this appeal.
19. I find the harm to constitute less than substantial harm owing to its effect being localised. Although, I consider the harm to the CA would be less than substantial, it is nonetheless a level of harm to which significant weight should be attached. Paragraph 214 of the Framework requires public benefits to outweigh such harm.
20. The proposed development would increase the size and height within the appeal property's roof space and the quality and size of the internal accommodation. However, these would be private benefits for the occupiers of the host property. It is acknowledged that there would likely be some contribution to the local economy from the associated construction works but given the small scale of the proposal I attach limited weight to these public benefits at most.
21. Against this background, these collective public benefits are very limited, and they do not outweigh the harm identified above to the significance of the heritage asset. Accordingly, there is conflict with the heritage protection policies of the Framework.
22. Although there would be no harmful effects on the living conditions, there would be harm to the character and appearance of the host property, the terrace it is part of and the CA, and there would be conflict with the development plan as a whole. There are no material considerations, including the Framework which indicate that a decision should be made other than in accordance with the development plan. For the reasons given above the appeal should be dismissed.

A Hunter

INSPECTOR