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## Appeal Decision

Site visit made on 30 September 2025

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 October 2025

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**Appeal Ref: APP/X5990/D/25/3366782**

**68 Westbourne Park Villas, City of Westminster, London W2 5EB**

- 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 Mrs Carmen Chevalier-Firescu against the decision of City of Westminster Council.
  - The application Ref is 25/00235/FULL.
  - The development proposed is described as “Retrospective Application for replacement of roof and erection of rear and side dormers, alterations to fenestration including replacement of windows, installation of plant machinery within enclosure at roof level and associated external alterations”.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The application is described as retrospective and I observed that additions to the roof had been constructed to the east and west roof slopes of the property, as well as to the rear. However, the development that I saw reflected that shown on the appellant’s ‘as existing’ plans, and the development indicated on the proposed plans to the east and west roof slopes had not been undertaken. Whilst what I saw has helped to inform my assessment, and I note that there are pending enforcement appeals for the two existing structures, I have dealt with the appeal on the basis that planning permission is being sought for the proposed development as set out in the application and the submitted plans.
3. Both parties refer to an earlier appeal decision<sup>1</sup> at the site, and reference elements of that which are relevant to the existing additions to the east and west roof slopes. Nevertheless, I have made my own assessment of the appeal proposal based on the information before me and my site visit.

### Background and Main Issue

4. I have not been provided with the full details of the recently approved planning application at the appeal site<sup>2</sup>. However, the application is referred to within the Council’s delegated report, with no further concerns raised regarding the rear dormer, alterations to the fenestration nor the installation of plant machinery. Therefore, the main issue is the effect of the side dormers on the character and appearance of the host building, and whether the proposal would preserve or enhance the character or appearance of the Westbourne Conservation Area (the CA).

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<sup>1</sup> Appeal Decision ref APP/X5990/D/24/3347826, dated 15 November 2024

<sup>2</sup> Planning application ref 25/00245/FULL

## Reasons

5. The appeal property is located to the northern edge of the CA and forms the end of a group of four terraced dwellings along with Nos 70, 72 and 74, which are distinct from others in the wider terrace given their architecture. The group front onto Westbourne Park Villas, with railway lines and a footbridge beyond the highway. The CA is characterised by predominantly residential development, featuring large groups of terraced housing and semi-detached villas.
6. The appeal property features a prominent pediment feature to the front elevation, which reflects a similar feature to No 74 at the other end of the group, and these effectively 'bookend' the terrace. All of the properties within the terrace have been altered at roof level in varying ways. Although the roof extension behind the pediment is visible at No 74, it does not make a positive contribution to the appearance of the group nor the CA.
7. The significance of the overall CA is derived from its architectural and historic interest, including the terraces, villas and groups of historic buildings. The appeal site contributes to the significance of the CA forming part of the distinct and prominent group of properties within the wider terrace of Westbourne Park Villas, which reflects the predominant residential setting of the surrounding area. There is no dispute that the property makes a positive contribution to the CA.
8. The existing dormer to the east facing roof slope would be reduced in height compared to the dormer already in place. Despite this reduction, and noting the extent of the set back from the frontage and the backdrop of the rear dormer, it would still be visible and a notable addition to this part of the property from the street. Notwithstanding the stated requirements to meet the Building Regulations, given the absence of similar side facing development in the immediate area, the dormer would appear as an incongruous addition to the property and the street scene. This would result in an adverse visual impact and harm to the character and appearance of the property.
9. The extension to the west roof slope would be reduced in depth when compared to the current situation and set marginally back from the line of the existing chimney stack, with part of the sloping roof behind the pediment being reinstated, although not in its original form. This would reduce its prominence on the roof and in the street scene to some degree. However, given its design and bulky appearance, which would be a taller and more obvious addition to the roof in comparison to the works at No 74, the reduction would not adequately mitigate the adverse impact of the infill development. It would harm the earlier composition of the roof in this area, comprising the pediment, as well as the sloping roofs and the chimney stack behind it. Whilst the overall visual impact of this addition would be reduced, it would still harm the character and appearance of the building.
10. Consequently, in combination, the side dormers would introduce a discordant form of development to the property in a prominent location that would be visible as part of the street scene and continue to unbalance the terrace in which it sits. This would have a detrimental impact on the character and appearance of the area, and the contribution that the property and the group make to the significance of the CA would be diminished. The development would therefore fail to preserve or enhance the character or appearance of the CA, and it would harm its significance.

11. The impact of the side dormers would be localised in terms of the CA as a whole, therefore the harm to the significance of the CA would be less than substantial, and the harm would be at the lower end of the scale in that respect. Regardless of the level of harm, the National Planning Policy Framework (the Framework) at paragraph 212 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. Paragraph 215 of the Framework requires the less than substantial harm to be weighed against the public benefits of the proposal.
12. I have had regard to the renovations that have taken place at the property, including the refurbishment of the front elevation and other works that the Council has deemed to be acceptable to improve the condition of the dwelling and secure it for years to come. Whilst there are some private benefits for the appellant, it would be reasonable to treat these aims as being public benefits inasmuch that they would contribute to social and environmental objectives set out in the Framework. This includes in respect of improving living conditions for occupiers and the overall housing stock, as well as aims to protect and enhance the property within the historic environment.
13. Even so, I am not satisfied that those refurbishment works could not have been achieved without the resultant harm from the side dormers. Furthermore, it has not been adequately demonstrated that the development before me is the only way to achieve the refurbishment of the property and the appellant's overall objectives. I therefore give these matters modest weight as public benefits, and they would not be sufficient to outweigh the great weight that I must give to the conservation of the CA and the considerable importance and weight to the less than substantial harm that I have identified to its significance.
14. I conclude that the development would fail to preserve or enhance the character or appearance of the CA and it therefore conflicts with Policies 38, 39 and 40 of the City of Westminster City Plan 2019-2040. Amongst other things, these seek that new development will positively contribute to the townscape and streetscape, ensure heritage assets are conserved and enhanced, and preserve or enhance the character and appearance of conservation areas.

## **Conclusion**

15. The proposal conflicts with the development plan as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

*N Armstrong*

INSPECTOR