



Appeal Decision

Site visit made on 2 December 2025

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/X5990/W/25/3374334

First Floor Flat, 32 Hornead Road, City of Westminster, London W9 3NG

- 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 Christopher Simon against the decision of City of Westminster Council.
 - The application Ref is 25/01525/FULL.
 - The development proposed is loft conversion with rear dormer and 3 roof lights to the front roof slope. Rear terrace above the rear outrigger with access from the new dormer. Solar panels to the flat roof of the new erected dormer. New windows to the rear facade.
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Decision

1. The appeal is allowed, and planning permission is granted for loft conversion with rear dormer and 3 roof lights to the front roof slope. Rear terrace above the rear outrigger with access from the new dormer. Solar panels to the flat roof of the new erected dormer. New windows to the rear façade and installation of air source heat pump at First Floor Flat, 32 Hornead Road, City of Westminster, London W9 3NG in accordance with the terms of the application, Ref 25/01525/FULL, and the plans submitted with it, namely OS Map 1-1250 (site location plan); and as built drawing no's AB 1/01; AB 2/01; AB 3/01.

Preliminary Matters

2. I have used the description of development specified on the application form. However, in my decision above, I have also included reference to the air source heat pump, to accurately reflect the development the subject of the appeal.
3. I saw on my site inspection that the proposed development has already been undertaken, the appeal has been determined on this basis.
4. The appeal property was granted planning permission¹ (the earlier planning permission) for a loft conversion with rear dormer, 3 no. roof lights to the front roof slope, roof terrace to the rear outrigger roof with access from the new dormer, and an air source heat pump at outrigger roof level. The application, the subject of this appeal, was submitted due to irregularities between the approved plans and the 'as built' situation, following the implementation of the earlier planning permission. The main differences that are in dispute relate to the size and design of the new dormer extension, and the new balustrading immediately in front of the new dormer extension. In addition, the changes also include altered window designs and finishes on the rear of the appeal property, and different air source heat pump details. No objections have been raised to the new air source heat pump or the new windows below the new dormer, or the other aspects of the works

¹ Ref. 22/05194/FULL

undertaken, and in view of this and the earlier planning permission, I see no reason to disagree. I have therefore limited my reasoning to the two aspects of the appeal that are in dispute.

5. The Council has advised that its draft City Plan Partial Review (CPPR) is currently being examined. 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.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the host property, the terrace it is part of, and the area, with particular regard to the design and scale of the new dormer roof extension and the balustrading immediately in front of it.

Reasons

7. The appeal site contains a three-storey, mid terraced property that faces onto Hornead Road, which is converted into 2 no flats, the appeal relates to the upper flat at first and second floor level. Immediately adjoining its rear boundary is Regent's Canal that has a public towpath running along its opposite side, which provides views of the rear side of the appeal property and the terrace it is part of.
8. I saw on my site inspection that many of the properties in the terrace have a rear dormer roof extension, with considerable variety in their appearance, height, width, scale, fenestration, and form. There were also some differing types and positions of rear balustrading. As a result, there was not a uniformed appearance of dormer roof extensions and balustrading across the rear of the terrace of properties, instead they had a much-altered appearance.
9. The proposed new dormer extension, said to be some 0.3 metres or so wider at each side, with a reduced separation from the host property's eaves line, make the new dormer extension appear bolder than as originally approved. Although, it is positioned below the main roof's ridge height and is partly screened on one side by an existing chimney. Its scale and size are still therefore seen as a dormer roof extension and not as an additional storey of accommodation, ensuring its scale remains subordinate to the host property.
10. In the context of the surrounding roof scape, helped by its darker coloured materials, its scale and design harmonises with the altered appearance of the host property. The glazing bar design on the larger opening on the new dormer extension matches the fenestration style on some lower-level windows, and although it is a wide an expansive opening, it is not a dominant feature below the ridge line of the appeal property when seen alongside the other dormer roof extensions in the same terrace. For the same reasons, when seen from the nearby towpath, its scale and design are not particularly noticeable, nor are they visually intrusive. Consequently, the new dormer extension's does not harmfully alter the appearance of the rear side of the terrace it is part of, or harm the character and appearance of the area.
11. The proposed new slim-metal balustrading immediately to the front of the new dormer is not conspicuous when seen from the towpath, due to its limited scale, dark colour, and the separation distance. Furthermore, it is also partly screened by

the existing balustrading around the lower roof terrace. Its simple design and scale relate sympathetically to the appearance of the rear side of the host property, the terrace it is part of, and the area.

12. The Council has referred to the possibility of the new dormer extension and its immediate balustrading setting a precedent for further such alterations to the rear of this terrace of properties. I am not aware of any such current proposals, nevertheless, given the degree of roof alterations that have already been undertaken, and the requirement to assess each proposal individually on its own planning merits, I am not persuaded that this argument attracts any meaningful weight in this case.
13. I therefore conclude that the proposed development would have an acceptable effect upon the character and appearance of the host property, the terrace it is part of, and the area, and comply with the relevant parts of Policies 38, and 40 of the City of Westminster, City Plan 2019 – 2040, adopted April 2021, which amongst other things, require development to be high quality and positively contribute to Westminster's townscape, waterways, and streetscape, through its design, scale, form and materials, and for extensions to respect the character and appearance of the host property and the architectural character of the existing terrace.

Conditions

14. Given that the development has already been undertaken, a condition requiring it to be undertaken in accordance with the proposed plans is not necessary, but reference is made within my decision to the approved plans.
15. I have carefully considered the Council's requested conditions regarding noise and vibration, particularly relating to the already installed air source heat pump. During the consideration of the planning application the Council has not identified any concerns regarding the air source heat pump's installation or operation, or sought to undertake any such noise measurements of it. This, together with the limited scale of the proposed development, which is to serve an existing flat, and with there being no objections to it, along with the accompanying sound assessment showing the noise generated is below the background noise level measured 4 metres from its installed position, it would not be reasonable to impose a condition in regard to noise. Nor am I persuaded that a condition regarding vibration would be necessary, and enforceable, in respect of this already installed domestic air source heat pump.

Conclusion

16. The proposed development accords with the development plan when taken as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. For the reasons given above, I conclude that the appeal should be allowed.

A Hunter

INSPECTOR