



Appeal Decision

Site visit made on 10 April 2026

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday 5 May 2026

Appeal Ref: APP/X5990/W/25/3376156

102 Top Flat Shirland Road, City of Westminster W9 2EQ

- 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 Abdulrazzaq Alfyd against the decision of City of Westminster Council.
 - The application Ref is 25/04726/FULL.
 - The development proposed is Installation of a rear dormer window and installation of two rooflights to the front roofslope.
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Decision

1. The appeal is allowed and planning permission is granted for Installation of a rear dormer window and installation of two rooflights to the front roofslope at 102 Top Flat, Shirland Road, City of Westminster W9 2EQ in accordance with the terms of the application, Ref 25/04726/FULL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos; Location plan, Existing Elevations DRW-02R, Proposed Elevations DRW-03R; Existing and Proposed Floorplans DRW-01R.
 - 2) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 3) Prior to works beginning on site to erect the rear dormer hereby approved, and notwithstanding the approved plans condition No 1, details of the external finish of the rear dormer window together with samples of materials to be used for its construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Preliminary Matter

2. Within the Council's decision notice they have refused the application against three policies within the Westminster City Plan 2019-2040, namely policies 38, 39 and 40. These policies are environmental climate conditions' policies. The Council's Statement of Case written by the original case officer refers to City Plan policies 42, 44 and 45. These have a more design-led approach to their ethos and are therefore relevant to the development before me. I have therefore taken into account these policies as part of my consideration. The appellant has not been asked for comments on these policies as I am allowing the appeal in any case.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the local area.

Reasons

4. The appeal site occupies the second floor and roof space of this three-storey dwelling over a basement, located mid terrace within a long terrace of Victorian houses situated along the southern side of Shirland Road. The appeal site is land locked by the terrace houses of Thorngate Road located directly behind the appeal site and Paddington Academy.
5. The appellant proposes to erect a rear dormer within the roof plane as well as two roof lights to the front elevation located side by side.
6. I could see that there are small dormers and roof lights present to the front elevations along the terrace. From street level the roof lights would be barely perceptible due to their position in the roof slope and only the slight raised outline of the frames visible. However, this would be a small alteration to the front of the building in a context of other roof lights, some I noticed in the same position as the position of the proposal before me. As the windows to the front are three across with a vertical emphasis, these rooflights would in the main line up vertically with the windows below. They would appear acceptable in this location.
7. The rear of the appeal site is only visible from the aspect of other dwellings given the back-to-back nature of the rows of terraced houses and the containment of the rear elevations. It would not be visible from a public vantage.
8. The flat roofed dormer would be centrally positioned and set down from the ridgeline and in from both sides of the roof and up from the eaves level. It would not appear top heavy or bulky in appearance and in proportion with the roof and of simple construction and design, as per the advice within the Council's supplementary planning guidance 'Roofs: A Guide for Alterations and Extensions on Domestic Buildings; (SPD).
9. I could see that other rooves in close quarters supported dormer windows, some of much the same scale as the proposal before me. Indeed, houses seen in all directions contained large box-style dormer windows. Window styles that I could see where also varied with sliding sash and casement windows present. Despite the fact it would contain one window in three portions and would be casement, it would be centrally positioned and proportionate to the dormer. In this varied context, I see no harm arising to the character and appearance of the local area as a consequence of what has been designed.
10. The finished material to the dormer window would match the existing roof finish according to the submitted plans. I note the use of rolled lead to dormers that the SPD advocates. However, I observed modern slate effect to the entire finishes of dormers positioned adjacent to the appeal site. As continuity of materials is important in this location where there are other dormers along this side of the terrace within close quarters, the finished material should be agreed with the Council and would avoid any ambiguity the Council has raised.
11. Whilst they point to another dormer located at 60 Saltram Crescent, this is not on the same street as the appeal site. The other example of development they provide some details of is 184c Shirland Road. Be that as it may, this is located along a different terrace block further to the west of the appeal site and cannot be reasonably compared to the context of the appeal site.

12. To conclude on this main issue, the proposal would encapsulate the design principles of policies 42 and 45 of the City Plan 2019 - 2040 and the broad design objectives of supplementary planning guidance, namely 'Roofs: A Guide for Alterations and Extensions on Domestic Properties'. The Council refers to City Plan policy 44. As this is related to the city's historic environment and the site is not a statutorily designated heritage asset or within one that is, I find no direct relevance to this policy.

Conditions

13. I have considered standard conditions to be imposed to the approval including an approved plans condition as well as the time limit to implement the permission, in the interest of good planning. I include a condition for the appellant to submit details of the finished materials for the dormer window (as explained earlier), notwithstanding the approved plans condition number one.

Conclusion

14. For the reasons given above the appeal should be allowed.

Alison Scott

INSPECTOR