



Appeal Decision

Site visit made on 9 April 2026

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 May 2026

Appeal Ref: APP/X5990/W/25/3375557

2 Wellington Road, London NW8 9SP

- 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 Hempel Property Holdings Ltd against the decision of City of Westminster Council.
 - The application Ref is 25/01860/FULL.
 - The development proposed is Retention of a larger rear dormer window as built, with casement window.
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Decision

1. The appeal is allowed and planning permission is granted for Erection of a rear dormer window with casement window at 2 Wellington Road, London NW8 9SP in accordance with the terms of the application, Ref 25/01860/FULL, subject to the following conditions in the below attached schedule:
 - 1) The development hereby permitted shall be carried out in accordance with drawing numbers. 3853 PL 201 A, 3853 PL 506, 3853 PL 508, 3853 PL 512 A, 3853 PL 513 A, 3853 PL 1021 A, 3853 PL 1022 A.
 - 2) Demolition or construction works shall take place only between 08:00 and 18:00 Monday to Friday, and 08:00 and 13:00 Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.

Preliminary Matters

2. As the site is located within the St John's Wood CA, I am mindful of my statutory duties in respect of 72(1) of the Planning (Listed Buildings and Conservation Areas) Act (the Act).
3. The new Local Plan for Westminster is progressing through adoption and is at the final stages. These policies are attributed limited weight however. The proposal was assessed against the adopted policies of the Westminster City Plan 2019-2040 and these carry substantial weight.
4. There is an extant permission for a rear dormer window¹ at the site. The appellant has not built in accordance with these approved plans and work has commenced on site to build a rear dormer. They instead proposed a different dormer window and appealed the refused decision that is before me at appeal and seeks to regularise the unauthorised works. From inspection, there is evidence of a partially erected dormer window.

¹ Application reference 24/03320/FUL

5. The development which forms the subject of this appeal has been partially carried out. The planning application form describes the development as "Retrospective application for retention of rear dormer window" whereas the Decision Notice issued by the Council uses the description "Retention of a larger rear dormer window as built, with casement windows". The appeal has to be determined on the basis of the development that was applied for and I have nothing before me that would indicate that the appellant has agreed to the description of the proposal being altered. Although the development was described as "retrospective" on the application form and the Decision Notice issued by the Council, Section 55 of the Town and Country Planning Act 1990 (the Act) describes development as the carrying out of building operations, or the making of material changes of use, as opposed to their retention or continuation. Section 73A of the Act makes allowance for the submission of a planning application for development which has been carried out before the date of the application. Consequently, I have considered the appeal on the basis that the proposal is for the erection of a rear dormer window, and I have omitted the references in the description to a 'retrospective application' and 'retention', and 'larger'.

Main Issue

6. The main issue is whether the character and appearance of the St. John's Wood Conservation Area would be preserved or enhanced.

Reasons

7. The St. John's Wood Conservation Area (CA) encapsulates mainly residential, tree-lined streets fronted by terraces and large villas that grew up as a leafy London suburb during the mid-19th Century. The Council's St John's Wood Conservation Audit (CAA) identifies '*it was the construction of broad avenues of detached and semi-detached villas in substantial grounds which gave St. John's Wood its distinctive character and established a new model of suburban style*'. Large neo-Classical style villas, imposing three storey terraces and the ornate red brick facades of high-density mansion blocks contributes positively to the residential character of St John's Wood and creates an air of affluence within a verdant setting.
8. The CAA also acknowledges the contribution of pairs of houses within the CA. Number 2 Wellington Road is attached to Number 4 and comprises a pair of mid-19th Century villas situated on Wellington Road at the crossroads junction with Wellington Place. The London stock brickwork finish of the pair set between stuccoed buildings, fenestration hierarchy and flush metal balconettes to windows makes a positive contribution to the character and appearance of the CA.
9. The appeal site is commercial in use and Number 4 appears to be in both a mixed commercial and residential use. The detached offices of Knight Frank at No 5 Wellington Road are positioned beside the appeal site in a separate and distinctive building with 20th century flatted development behind, situated along Cochrane Street. Given the organic evolution of this part of St John's Wood, the appeal site is experienced within a tight cluster of buildings of various architectural ages, styles and merit.
10. Numbers 2 and 4 share continuity and symmetry as they have been erected as a pair although they have experienced modern alterations that are visually apparent. Number 4 in particular has strident roof structures comprising a side and rear

dormer and front rooflight. These interventions cause an imbalance to the pair of semi's although as a pair, they still retain significant symmetry.

11. The appellant has a fall-back position as there is planning permission for a rear dormer window at the site, and therefore the principle has been established by the Council. However, as I cannot consider the merits of that extant permission, I must consider the proposal before me.
12. This proposed dormer window would be around 18% larger than the approved window as the biggest change would be to its width. I note the detrimental effect roof extensions can have on the character of the CA and this is emphasised within the Council's CCA and reinforced within the Council's supplementary planning guidance 'Roofs: A Guide for Alterations and Extensions on Domestic Buildings.' That being said, the existing roof slope to the rear can adequately accommodate this size of dormer in this position without it appearing bulky or top heavy.
13. There are only very slight glimpsed views of the rear roof slope from street level outside and close to the site along Wellington Place. It is somewhat perceptible from longer range public views further away from the site when viewed along Wellington Place in both directions, and from St John's Wood Church Gardens. However, these would be restricted views of the structure and at the size proposed, it would be absorbed into the roof structure and the surrounding context which is experienced within the extensive Wellington Hospital in the foreground that dwarfs the appeal site and the cluster of buildings here. It would not look conspicuous or out of character.
14. Due to the position and shielding of other buildings, I could see that the partially erected dormer was only marginally visible from the car park behind the appeal site that is associated with flatted development on Cochrane Street. Any views from other residential dwellings backing onto the site here would be private views. To my mind, a rear dormer as proposed would not affect how the conservation area is experienced as a whole as it would be well contained and visible in the context of an adjacent dormer window.
15. Even if the proposed window would consist of a side hung timber casement style as opposed to a more traditional timber sliding sash window that forms part of the character of the wider CA, it would consist of a timber window with four over four panes using glazing bars which is appropriate to the historic context. In this environment, set beside another rear dormer with an uncharacteristic style window, a casement window would not compromise the historic value of the host dwelling, the value of the pair of semi's, or the CA as a whole. I was also aware that there is evidence of upvc windows and top hung sashes between the pair of houses. Consequently, the traditional houses that form the pair have been affected by modern interventions.
16. As the St John's Wood CA covers a large area, the proposal before me would be small in scale using acceptable materials and would have a limited effect on the CA when experienced against a much wider context of the heritage asset as a whole. The historic integrity of the CA would thus be preserved. Paragraph 212 of the National Planning Policy Framework advises 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. In this situation, it would have a neutral impact on the character and appearance of the CA.

17. To conclude on this main issue, no conflict would arise with the design, townscape and historic environment safeguarding aims of Policies 38, 39 and 40 of the Westminster City Plan 2019 -2040 (2021).

Other Matters

18. The Council raises issues regarding discrepancy with the plans and what has been erected on site so far. To this end, the appellant must build in accordance with the approved plans, and their evidence explains they would do so. I have no reason to dispute this.
19. The Council submit details of the enforcement notice appeal decisions that includes an appeal decision affecting both the appeal site and number 4 Wellington Road.² I have taken this into account in my findings. However, the rear dormer that was in dispute in that Inspector's decision was materially different to the one proposed before me. That decision therefore carries only limited weight and I have come to my own findings based on the information before me.

Conditions

20. I have considered standard conditions to be imposed to the approval including an approved plans condition in the interest of good planning. The Council suggests the imposition of a condition relating to materials matching the original building. There is variety of materials at the site, including upvc. Given the six tests of paragraph 57 of the National Planning Policy Framework and advice contained in the Planning Practice Guidance The use of Conditions, therefore for consistency, the approved plans are sufficient to ensure the development has a satisfactory finish.
21. The appeal site is surrounded by, and in proximity to, a number of residential properties. During the construction phase of the development, it is inevitable that there will be some noise generated by the works. In order to minimise any disturbance to the occupiers of these buildings, it is, therefore, necessary to attach a condition restricting the times during which works can take place. I have amended the wording of this condition from that suggested by the Council because the development is a rooftop installation and, as such, it is unlikely to involve any piling or excavation operations.

Conclusion

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

Alison Scott

INSPECTOR

² Appeal references APP/X5990/C/20/3257619 & APP/X5900/W/20/3263160 & APP/X5990/W/20/3263162