



Appeal Decision

Site visit made on 29 April 2026

by Ann Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th May 2026

Appeal Ref: APP/X5990/W/25/3376026

616 Harrow Road, London W10 4NJ

- 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 Peter Kyte of Enabling Projects against the decision of City of Westminster Council.
 - The application Ref is 25/05446/FULL.
 - The development proposed is construction of two dormer windows at the rear and extension of upper flat to 71 sq.m.
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Decision

1. The appeal is allowed and planning permission is granted for construction of two dormer windows at the rear and extension of upper flat to 71 sq.m at 616 Harrow Road, London W10 4NJ in accordance with the terms of the application, Ref 25/05446/FULL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 6401/10.7.25/03A (site plan); 6401/10.7.25/04A (proposed floor plans) and 6401/10.7.25/05A (proposed elevation and section).
 - 3) All building work relating to the development hereby approved which can be heard at the boundary of the site shall only take place between 08.00 and 18.00 Monday to Friday; between 08.00 and 13.00 on Saturday; and not at all on Sundays, bank holidays and public holidays.

Preliminary Matters

2. Since the appeal was submitted, the Council adopted the Westminster City Plan 2019-2040 in January 2026 (WCP). The Council has confirmed that this supersedes the policies of the City Plan 2019–2040, adopted April 2021 (CP). The Council has also confirmed that it now relies upon policies 42, 44 and 45 of the WCP rather than policies 38, 39 and 40 of the CP which are referred to in the decision notice. The appellant has had an opportunity to comment on this change. I have therefore determined the appeal on the basis of the WCP which is afforded full weight.
3. The appeal property is located in a conservation area. I have therefore had regard to the statutory duty in section 72(1) of the Planning (Listed Buildings and

Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Main Issue

4. The main issue is the effect of the proposal on the appearance of the host building and whether the proposal would preserve or enhance the character or appearance of the Queen's Park Estate Conservation Area.

Reasons

Queen's Park Estate Conservation Area (CA)

5. The CA is relatively compact and is associated with a predominantly residential estate constructed in the late 19th century by the 'Artisans, Labourers and General Dwellings Company'. This was a housing co-operative set up with the aspiration to build better housing for the working classes. Grid-like rows of generally two-storey terraced properties have a similar palette of materials with gothic detailing repeated in differing combinations along the tree-lined streets. The party-wall upstands and tall chimney stacks on many of the properties, including on outriggers, are a distinctive and frequent feature in the area. They, along with the tight urban grain, provide a unified appearance to the CA and are a key component of its character. According to the Council's Conservation Area Audit¹ (CAA), the CA provides an intact example of a philanthropic housing estate using garden city ideals.
6. The southern boundary of the CA is defined by the more commercial Harrow Road and the Grand Union Canal. Harrow Road differs from the intimate cottage-like terraces on many streets in the CA insofar as it is a busy road lined by three-storey terraces that accommodate ground floor businesses with living accommodation above. Many traditional shop fronts remain along Harrow Road and upper windows include ornate architectural detailing.
7. Insofar as is relevant to the appeal proposal, from the information before me and my own observations, the special interest and significance of the CA is principally derived from the historic street pattern; the well-preserved terraces along tree-lined streets denoting the planned development of the area; and the consistency of materials, ornate detailing, and cohesive roofscape. The association with a housing co-operative and the garden city movement of the 19th century are also important contributors to the CA's special interest. Together, these elements combine to positively contribute to the character and appearance of the CA and its significance as a designated heritage asset.
8. The Council refer to the appeal property as an 'unlisted building of merit' but do not go so far as to say it is a non-designated heritage asset (NDHA). The glossary to the National Planning Policy Framework (the Framework) defines a heritage asset², and includes assets identified on a local list by the local planning authority. Planning Practice Guidance (PPG) also advises that it is important that all NDHAs are clearly identified as such³, particularly because a NDHA would be afforded protections in its own right. However, little information has been provided in the

¹ Supplementary Planning Document Conservation Area Audit, Queen's Park Estate, dated 15 April 2005

² A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

³ Paragraph: 040 Reference ID: 18a-040-20190723

appeal submission in relation to the building's significance, and it is not identified by either main party as a locally listed building or a NDHA.

9. I note figure 12 of the CAA recognises almost all buildings in the CA as either listed buildings or unlisted buildings of merit but the appeal property is not within the published Article 4 direction area where stringent controls apply to, amongst other things, roof alterations. Given this and the omission of any reference to the appeal property as a NDHA, nor to paragraph 216 of the Framework relating to NDHAs or to a balanced judgement in the Council's officer report, I cannot be certain that the appeal property is a NDHA.
10. Even so, as a building identified as an unlisted building of merit forming part of a traditional terrace within the planned estate and which reflects the age, materials and architectural detailing found elsewhere within the CA, it makes a positive contribution to the character and appearance of the CA as a whole.

Proposals and effects

11. The proposed dormers would each be narrow and small, separated by a reasonable-sized gap. They would be set back from the eaves and feature a pitch roof. The width of the windows would not exceed those of the main rear-facing windows below and would include appropriate materials and fenestration details, thus they would relate well to the design and hierarchy of windows on the property's rear elevation.
12. The dormers would be seen in public views between gaps of buildings along Second Avenue and Third Avenue and when viewed from the windows and gardens of some properties along these streets. Nonetheless, their modest scale and depth would possess a degree of subservience to the property and the terraced row.
13. I acknowledge the importance of the roofscape within the CA. Indeed, the CAA advises long vistas down continuous roofscapes interrupted only by raised party walls and chimney stacks are fundamental to the character of the CA and dormers are unlikely to be permitted within it.
14. However, given it is three-storey and in commercial use along a busy road, the terrace within which the appeal property sits has a different visual presence and character to the two-storey residential properties with unbroken rooflines along other streets in the CA. Moreover, the rear elevation of the terrace is less architecturally detailed than its front façade and some properties within it already incorporate extraction fans on rear outriggers and rooflights within the main roof. Whilst there are no dormers on the rear roof of the terrace, the appeal property includes a prominent stainless steel extraction flue which follows the roof slope to the top of the chimney stack. This disrupts the harmonious rhythm of the roof and detracts from the appearance of the property and the wider terrace. Although the proposed dormers would add built form to the existing unbroken roofline, they would screen some of the visually unattractive flue when viewed from Second Avenue.
15. I saw other roof additions on the rear roof slope of the neighbouring three-storey terraced block along Harrow Road, which is also within the CA. In this regard, I note the Council's claim that these are historic, and some may not be authorised. I also acknowledge the Council's Supplementary Planning Guidance 'Development

and Demolition in Conservation Areas', April 1996, sets out that not all extensions or alterations, which may be many years old, should be regarded as setting a precedent for future change. It goes on to advise that in some instances roof extensions will not be acceptable in principle if they have an adverse impact on the architectural integrity of the building, the unity of a terrace or group or character and appearance of a conservation area.

16. Nevertheless, the existing roof additions within this part of the CA form part of the character of properties along Harrow Road. In mirroring the scale and predominant design of these other roof additions, the proposed dormers would not appear unduly alien on the appeal property or the terrace. Furthermore, they would not be bulky or loom above the uncluttered roofs along Third Avenue. Rather, in the context of this part of the CA, I find their limited scale to be a well-designed and appropriate response to the historic architectural merit of the appeal property and the wider terrace.
17. Bringing the above together, I conclude that the proposed rooflights on the front roof slope of the appeal property would have an acceptable effect upon the character and appearance of the appeal property and the CA. Moreover, I find the proposed dormers would not be an overly discordant feature on the rear roof slope of the appeal property. For these reasons, the proposal would not harm the appearance of the host building, and the character and appearance of the CA as a whole would be preserved.
18. Even if I were to have considered the appeal property was a NDHA, for these same reasons, I would not have found that the proposal would have caused harm to its significance.
19. Accordingly, the proposal complies with section 72(1) of the Act and policies 42, 44 and 45 of the WCP. Amongst other things, together, these policies seek that new development is of high quality and sensitively designed having regard to matters such as the degree of uniformity in the surrounding townscape; that unlisted buildings that make a positive contribution to a conservation area will be conserved; and that development preserves or enhances the character and appearance of Westminster's conservation areas. The proposal also complies with Policy 5 of the Queen's Park Community Council Neighbourhood Plan 2020-2014, made August 2021, which seeks a high standard of design that respects the character of the area.

Conditions

20. The Council has provided a list of suggested conditions that it considers would be appropriate. I have considered these against the tests set out in the Framework, and Planning Practice Guidance. In addition to the statutory three-year implementation condition, I attach a condition that requires the development to be carried out in accordance with the approved drawings in the interests of clarity.
21. To protect the living condition of neighbouring residents from undue noise during construction of the proposal, I have included the Council's suggested condition relating to hours of construction. However, I have re-worded the condition because the limited scale of the development would not necessitate piling, excavation or demolition, therefore reference to these matters would be unreasonable and unnecessary.

22. The Council has suggested a condition requiring that the materials to be used in the construction of the external surfaces of the development match those used in the existing building but has also suggested a condition that specifies the external materials to be used. Given the approved drawings include details of external materials, there is no need for separate conditions specifically on this matter.

Conclusion

23. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal is allowed.

Ann Veevers

INSPECTOR