



Appeal Decision

Site visit made on 7 November 2023

by L Reid BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 January 2024

Appeal Ref: APP/X5990/D/23/3321635

12A Greville Place, London NW6 5JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Harvey Ingram against the decision of City of Westminster Council.
 - The application Ref 23/00676/FULL, dated 02 February 2023, was refused by notice dated 19 April 2023.
 - The development proposed is construction of dormer windows in rear roofslope (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for the construction of dormer windows in rear roofslope at 12A Greville Place, London NW6 5JH in accordance with the terms of the application, Ref 23/00676/FULL, dated 02 February 2023, and the plans submitted with it.

Preliminary Matters

2. I have removed the term retrospective from the decision heading above as it is not a description of development.
3. I visited the appeal site and 14 Greville Place. It was apparent from my site visits that the dormer windows are already built. For clarity, I have based my decision on the submitted plans.

Main Issue

4. The main issue is whether the proposal preserves or enhances the character or appearance of St John's Wood Conservation Area.

Reasons

5. As the site is within St John's Wood Conservation Area (the CA), I have had regard to Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area.
6. The CA covers a large area and is characterised by its regular street pattern, laid out in a planned manner, along tree-lined streets which provides a pleasant and leafy character. The St John's Wood Conservation Area Audit Supplementary Planning Document (the CAA SPD) identifies that the significance of the CA primarily derives from the suburban and low-density townscape with attractive detached and semi-detached villas, terraced housing and mansion blocks of varying age and architectural style. It notes that some

later in-fill development is of simple design which neither detracts nor enhances the character of the CA.

7. The appeal building is a two storey semi-detached house with a two storey side extension and single storey rear extension. It is of a simple design with brick-faced elevations, uPVC window frames and a slate pitched roof. Its design is also broadly reflected on the adjoining house. In the wider street scene, the roofs vary as the house is amongst Gothic villas and Italianate-style buildings. The house appears to have originally been built as a later infill addition to the CA. It therefore makes a neutral contribution to the significance of the CA.
8. The dormer windows are set in from the sides of the roof, set up from the eaves and set down from the ridgeline. As such, they do not occupy a large amount of the roof slope and are in proportion with the roof. Due to their width and height, the dormer windows do not appear excessive in size, nor do they add a significant amount of bulk to the roof.
9. The dormer windows are clad in dark materials to match the roof and fitted with uPVC sash-style windows to match the existing windows. Whilst I accept that the dormer windows do not strictly align with the windows below, the windows are shorter in length than those below and therefore do relate to the traditional window hierarchy of the building. Due to their detailed design, the dormer windows do not unacceptably impact the appearance of the house.
10. The house is in an area in which the CAA SPD identifies where roof extensions are likely to be unacceptable. However, notwithstanding the assessment of the Council, the SPD should not be applied prescriptively to the exclusion of all other factors, including the site context. I accept that the presence of the dormer windows disrupts the symmetry of the pair of roofs. However, the mirroring of the pair has already been lost due to the house's side extension. The dormer windows therefore do not unbalance the symmetry of the pair of houses to an extent that is harmful to their character.
11. The dormer windows are visible from the surrounding properties but are viewed against the backdrop of different roof forms. Considering the dormer window's form, width, and position on the rear roof slope, combined with the matching materials and window proportions, it does not result in a development that is jarring to the eye. I am therefore satisfied that the dormer windows do not appear as incongruous in the street scene.
12. For these reasons, the dormer windows have a neutral effect on the contribution that the house makes to the significance of the CA and therefore preserves the character and appearance of the CA. Consequently, the proposal complies with Policies 38, 39 and 40 of the City Plan 2019 – 2040 (2021). These policies, amongst other things, seek extensions that are designed to have regard to character and appearance and ensure that heritage assets are conserved.

Other Matters

13. At my site visit, I saw that the bottom panels of the windows are fitted with obscure glazing which restricts the views out of the windows. The Council has not raised privacy matters as reasons for their refusal. I am also content that the development does not result in unacceptable harm in this regard.

14. There is no substantive evidence before me to show the proposal results in light pollution to a harmful degree, particularly given the size of the windows.
15. Whilst the appeal scheme is retrospective, the submission of a planning application and, if necessary, subsequent appeal is a route to regularise a breach of planning control. It does not however set a precedent for future applications.

Conditions

16. Conditions suggested by the Council in their questionnaire relating to matching external materials, approved plans and restrictions on building work hours, would not be necessary given that the development has been completed.

Conclusion

17. The proposal complies with the development plan, read as a whole. Therefore, the appeal is allowed.

L Reid

INSPECTOR