

Appeal Decisions

Site visit made on 3 October 2016

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1st November 2016

Appeal A

Appeal Ref: APP/X5990/W/16/3154891

1 Wilton Place, London, SW1X 8RH

- 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 Dr Khalid Bin Thani Al Thani against the decision of City of Westminster Council.
 - The application Ref 15/11789/FULL, dated 17 December 2015, was refused by notice dated 4 May 2016.
 - The development proposed is described as "first floor rear extension plus internal refurbishment and renovation of the property in attempt to increase the number of bedrooms from 6 to 7. General internal refurbishment to include changes to the existing floor, ceiling and wall finishing as well as material changes to the existing internal staircase. General room layout changes throughout".
-

Appeal B

Appeal Ref: APP/X5990/Y/16/3154845

1 Wilton Place, London, SW1X 8RH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Dr Khalid Bin Thani Al Thani against the decision of City of Westminster Council.
 - The application Ref 15/11790/LBC, dated 17 December 2015, was refused by notice dated 4 May 2016.
 - The works proposed are described as "first floor rear extension plus internal refurbishment and renovation of the property in attempt to increase the number of bedrooms from 6 to 7. General internal refurbishment to include changes to the existing floor, ceiling and wall finishing as well as material changes to the existing internal staircase. General room layout changes throughout".
-

Decision

1. Appeal A is dismissed.
 2. Appeal B is dismissed insofar as it relates to the provision of a rear extension and the internal works at terrace level to facilitate it.
 3. Appeal B is allowed insofar as it relates to the internal alterations at basement, ground floor and second floor levels, at 1 Wilton Place, London, SW1X 8RH in accordance with application Ref 15/11790/LBC, dated 17 December 2015 subject to the following conditions:
-

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 Location Plan 085 P E01; Site Plan 085 P E02; Proposed Lower Ground and Ground Floor Plan 085 P P01; Proposed First and Second Floor Plan 085 P P02 insofar as it relates to the second floor only; proposed section A-A 085 P P07 insofar as it relates to the ground floor only.
- 3) You must carry out any building work which can be heard at the boundary of the site only:
 - 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.Noisy work must not take place outside these hours.
- 4) All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission.

Procedural Matters

4. The Council altered the description of development for both proposals. As these more accurately and succinctly describes the proposal I have also used these descriptions.

Main Issue

5. The main issues for both appeals are the impact of the proposals on the special architectural and historic interest of this Grade II listed building known as 1 Wilton Place and the impact of the proposal on the character and appearance of the Belgravia Conservation Area.

Reasons

6. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. S72(1) of the Act requires special attention to be had to the desirability of preserving or enhancing the character and appearance of that area. *Westminster's City Plan: Strategic Policies* (SP) was adopted in 2013. Policy S25 of the Core Strategy seeks to conserve Westminster's extensive heritage assets and to ensure that buildings are upgraded sensitively. Saved policy DES10 of *the City of Westminster Unitary Development Plan* (UDP) seeks to ensure that alterations to listed buildings respect the building's character and appearance and preserve, restore or complement its features of special architectural or historic interest. These policies reflect the statutory duties defined in the Act.

7. 1 Wilton Place is a Grade II listed building. The property also lies within the Belgravia Conservation Area. The listing describes it as an early 19th Century terraced house and it is constructed in yellow brick with five storeys and a basement. The front façade of the terrace is almost uniform, and retains much of its original appearance. The significance of the heritage asset is largely derived from the elegant and intact frontage, and from its position as part of a group, which forms an attractive late Georgian streetscape.

Internal Alterations

8. Internally the property has been much altered. It has an open plan layout on the lower floors, and on the upper floors the original layout is disrupted by the provision of a lift and en-suite bathrooms to bedrooms. The Council have no concerns regarding the internal alterations to provide staff sleeping accommodation at basement level, the provision of glass partition walling on the ground floor, and the repositioning of an internal wall at second floor.
9. Taking into account the absence of any of the original cellular form of the building, and that these alterations would not lead to a loss of any of the building's historic fabric, I see no reason to dispute this view. Given the negligible harm that would occur, these elements of the proposal would not be contrary to the Framework which seeks to conserve heritage assets in a manner appropriate to their significance.

The Rear Extension

10. Externally, the property has been extended at basement and ground floor with the addition of a 2 storey flat roofed extension with a roof terrace at first floor level which occupies all of the rear plot. A small closet wing has also been added which extends to third floor level and has frameless French doors at first floor(terrace) level. The proposal comprises a glazed extension to the rear of the building at first floor level, which would extend across the width of the property to the depth of the existing closet wing.
11. Although the glazed structure would be relatively small, and would be lightweight in form, it would effectively combine with the existing glazed insert on the closet wing, and this would increase its visual prominence. The proposal would also involve the removal of the existing sash window at second floor with the arched soldier course and recessed window opening bricked up. Although I note that the window openings on the rear of the building have been altered, the proposal would nonetheless further obscure and distort the simple detailing and vertical emphasis of the rear elevation. Within the extension the existing opening would be enlarged. The appellant has argued that as this window is a replacement this would not lead to a loss of historic fabric. Be that as it may, the opening up of the façade, would further disrupt the original plan form of the building and as it would be visible through the glazed frontage of the extension, this element of the proposal would also contribute to the visual harm the proposal would cause to listed building. Together, these elements would erode the character and historic fabric of the building to a harmful degree.
12. The proposal would affect only a relatively small part of the building and so the harm caused to its significance as a heritage asset would thus be less than substantial. The *National Planning Policy Framework* (the Framework) directs that when considering the impact of a proposed development on the

significance of a heritage asset, great weight should be given to the asset's conservation. I therefore attribute considerable importance and weight to this harm, which the Framework also indicates should be weighed against the public benefits of the scheme.

13. The proposal would be visible in views into the site from some adjoining properties on Wilton Place and Knightsbridge. In these views the impact of other rear additions on the composition of the rear elevation is apparent and in the case of the appeal property and its immediate neighbours the original lower floors are entirely obscured by new development. The appeal proposal would result in further erosion in the original character of the building and this would have a small but nonetheless harmful effect on the character of the wider conservation area.
14. The proposal would provide enhanced accommodation for the appellant. This is primarily a private benefit, which is proposed to suit the appellant's personal requirements and which would not represent a material benefit to the wider housing stock in this case. I therefore attribute no weight to this matter as a public benefit and as such it is insufficient to outweigh the harm the proposal causes to the special interest of the listed building and to its significance and to the character of the conservation area. It follows that the proposal fails to comply with national policy outlined in the Framework. It also fails to comply with the local policies outlined above and with policy S28 of the SP and policies DE1 and DE5 of the UDP which together seek to ensure that new development respects the character of existing buildings and local distinctiveness.

Conclusion

15. For the reasons outlined above, and having regard to all other matter raised, I conclude that as the rear extension fails to preserve the appearance of the listed building, or to preserve or enhance the character or appearance of the Belgravia Conservation Area, this element of the appeal is dismissed.
16. However, as the internal alterations to the basement, ground floor and second floor would not significantly alter the character or interest of the existing building and would not result in the loss of historic fabric, I conclude that this element of the appeal be allowed.
17. The Council have suggested a number of conditions. In addition to conditions relating to the period of implementation and compliance with the approved plans, I also consider a condition requiring matching materials to be reasonable and necessary, in order to ensure a satisfactory appearance for the approved internal works. As the proposal does not involve the removal of any original features I do not consider that a condition prohibiting this is necessary. However, taking into account the residential nature of the area, a condition restricting hours of construction is also reasonable and necessary.

A Jordan

INSPECTOR