

Appeal Decision

Site visit made on 16 January 2017

by Kenneth Stone BSc Hons DipTP MRTPI

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

Decision date: 3 February 2017

Appeal Ref: APP/X5990/Y/16/3156347

Flat 1, 30 Hyde Park Gardens, London W2 2ND

- 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 Roland Folz against the decision of City of Westminster Council.
 - The application Ref 16/03220/LBC, dated 8 April 2016, was refused by notice dated 6 July 2016.
 - The works proposed are described as 'enlargement of existing internal mezzanine floor (retrospective)'.
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Decision

1. The appeal is allowed and listed building consent is granted for the enlargement of the existing internal mezzanine floor at Flat 1, 30 Hyde Park Gardens, London W2 2ND in accordance with the terms of the application Ref 16/03220/LBC, dated 8 April 2016 and the plans submitted with it.

Procedural matters

2. The property the subject of this appeal is listed grade II. It is listed for its group value in a terrace of properties, 25 to 38 consecutive, as houses dating to circa 1840; it is located in the Bayswater Conservation Area.
3. The extended mezzanine floor works were in situ at the time of my visit. The word retrospective is unnecessary in the description and I have therefore not used it in my formal decision.
4. In the context of this appeal I have had regard to my statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, at section 16(2). This requires that I have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

Main Issue

5. The main issue is the effect of the works on any features of special architectural or historic interest which the building possesses.

Reasons

6. The appeal relates to a flat in a property that along with others in the terrace have been converted into a mansion block. Apartments have been created within the original terrace of which this flat is a part and it is not disputed that
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this has resulted in the subdivision of many of the spaces within this and adjoining properties.

7. The building was listed in the 1970's but there is significant evidence of substantial alteration to this and the adjacent properties particularly in the 1950's when light wells were penetrated through the buildings and significant mezzanine accommodation was added into the buildings. I accept that these works obliterated much of the historic plan form of the building. In the appeal site the rear wall of the main principal room was removed and the proportions of the room obliterated. Along with the removal of the original stair case reconfiguration of rooms and the insertion of bed room two the whole of the internal arrangement of the flat has little bearing on the historic layout of the original building. The obliteration of the plan form, room proportions and insertion of mezzanine levels changed significantly the height and proportions of the rooms such that any residual historic feature or interest was substantially compromised. It is within this context that the current scheme needs to be considered.
8. Whilst the later alterations, those the subject of this appeal, added to the extent of the mezzanine the internal space had already been substantially compromised to such an extent that there was little left of value. There is some residual sense of the scale and proportions of the room heights that remain with the extended mezzanine and this would not be significantly less than what was left in the context of the mezzanine before these works. The historic proportions had been lost and in any case it was simply a reflection of what had previously been.
9. The alterations to the second bedroom, which itself is not an historic space but one created when the main staircase was lost, would not affect a historic feature and the higher ceiling height echoes the higher ceiling of the larger spaces that the building once had.
10. In the context of the visibility of the alterations from outside the flat, from ground level, these are glimpsed and fleeting views into rooms which would already have had some alteration. The effect on the external appearance of the flat, townhouse and listed terrace are negligible.
11. Overall I am therefore satisfied that the works do not affect any features of special historic or architectural interest which the building possessed, and therefore the significance, of the listed building.
12. Given these conclusions the works would not conflict with the development plan, policies S25 and S28 in Westminster's City Plan, or Policy DES 1 in the Unitary Development Plan, or the advice in the Council's Supplementary Planning Guidance, Repairs and Alterations to listed buildings, or the National Planning Policy Framework.
13. Given that the works have already been carried out and no issues were raised with regards implementation there is no requirement for the imposition of any conditions. The works are detailed in the plans submitted with the application and these are referenced in the decision above.
14. For the reasons given above I conclude that the appeal should succeed.

Kenneth Stone

INSPECTOR