
Appeal Decision

Site visit made on 29 June 2017

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 24 August 2017

Appeal Ref: APP/X5990/Y/17/3170454
93 St George's Square, London SW1V 3QW

- 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 Mr Jules Mort against the decision of City of Westminster Council.
 - The application Ref 16/11099/LBC, dated 22 November 2016, was refused by notice dated 5 January 2017.
 - The works proposed are alteration and works of repair and refurbishment including insertion of internal stair between first and second floors - thus joining Flats 1 & 2 together to form one large family home.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed works on the special interest of the building which is listed grade II.

Reasons

3. 93 St George's Square is one of a terrace of five storey townhouses which date from around 1850. It has previously been divided into separate residential units, with the ground and first floors forming a single dwelling. The proposal would create a new staircase allowing internal access between the first and second floors, and thus incorporating an additional floor within the existing property.
4. Despite the alterations that were carried out to create the individual units, the building largely retains the typical townhouse form whereby the principal staircase rises up through the building and gives access to the rooms on each floor. In terms of architectural hierarchy, the property follows the characteristic pattern of locating the principal rooms on the first floor. On the second floor, the scale diminishes and less prestigious spaces are provided. I accept that the previous works have diluted the historic plan form to some extent. However, the original layout remains clearly legible. These factors contribute to the significance of the listed building.
5. The Council's document entitled 'Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings' (SPG) makes reference to the importance of the original plan forms of listed buildings, which should be preserved. Their integrity should not be compromised by new works.

6. The proposed new staircase would be located within the back rooms on the first and second floors, thus leaving the higher status front rooms intact. It would be a freestanding structure of a contemporary design, although I note that little detail of its proposed appearance is provided within the listed building consent application. However, the appeal proposal would essentially introduce a secondary staircase within a plan form that was designed around a single main staircase. It would thus depart from the characteristic layout of the building, whereby there was no means of communication between the floors other than the principal stair. The proposal would introduce an additional means of circulation that would not respect the original function of the spaces or their relationship to each other. It would thus unacceptably fail to preserve the architectural or historic character of the listed building.
7. The Council also raises concern regarding the loss of fabric that would be entailed by the proposal. However, this would be limited to a section of the second floor large enough to allow the installation of the staircase. I note also that the fabric of the building has been subject to extensive restoration in this area, which has reduced its historic significance. I am therefore satisfied that the proposed loss of fabric in itself would not be so damaging as to justify the withholding of consent, although it does add to a limited extent to the overall harm which would be caused by the proposed works.
8. Accordingly, the proposal conflicts with the overarching statutory duty as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, which must be given considerable importance and weight, and with the National Planning Policy Framework (the Framework). In addition, it would fail to comply with Policy S25 the Westminster City Plan (CP), insofar as it seeks to conserve listed buildings, and CP Policy S28, which amongst other things, encourages development that respects Westminster's heritage. The works would further conflict with Policy DES 10 of the Westminster Unitary Development Plan, which requires proposals to demonstrate that they would preserve, restore or complement the features of special architectural or historic interest of listed buildings, and with the requirements of the SPG.
9. Nonetheless, although serious, the harm to the heritage asset in this case would be less than substantial, within the meaning of the term in paragraph 133 of the Framework. Paragraph 134 requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal
10. The appellant argues that the proposal would result in the benefit of creating a family-sized dwelling. However, the existing property comprises three bedrooms and living accommodation over two floors, and is clearly suitable for occupation by a family. Therefore, whilst the proposal would clearly enlarge the family dwelling, this would be a private benefit that can be afforded little weight in planning terms. Conversely, the loss of a separate residential unit would be weighed against the proposal, as it would harm the provision of housing stock in the area.
11. The second floor has previously been subdivided, and the proposal would remove the later partitions from the front room, thus restoring its original form. I note also that it is proposed to remove the boiler flue and terminal from the front elevation. However, whilst these small benefits to the listed building are to be welcomed, they would not outweigh the harm I have

identified. Overall, therefore, the public benefits of the proposal would not outweigh the harm I have identified to the heritage asset. Paragraph 132 of the Framework states that great weight should be given to the conservation of a designated heritage asset and any harm requires clear and convincing justification.

12. I accept that two modern staircases have been installed within the property. However, each case is to be considered on its own merits, and the presence of the later staircases would not justify the harm that would arise from the appeal proposal.
13. The appellant has drawn my attention to extracts from the Historic England document entitled 'Conservation Principles, Policies and Guidance'. These relate to the design quality of new works and the degree to which they should be discernible within a historic context. However, as I have found the proposal to be fundamentally unacceptable, these principles would not apply. Similarly, the imposition of a condition requiring further details of the new staircase would not be appropriate in this instance, and would not overcome my concerns.
14. The appellant refers to the list description, which is a multiple entry comprising Nos 89-105 St George's Square. Multiple entries of this kind were a short-hand method allowing a number of buildings with very similar characteristics to be included on the statutory list without the additional work of a separate entry for each one. This does not diminish the significance of the appeal property as a heritage asset. It is therefore not possible to infer, as the appellant suggests, that the effect of the proposal should be judged proportionately against the total number of buildings named in the list entry.

Conclusion

15. For the reasons above, I conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR