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# Appeal Decision

**by Paul Griffiths BSc(Hons) BArch IHBC**

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

**Decision date: 29 August 2019**

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**Appeal Ref: APP/X5990/Y/19/3226852**

**Somerset House, The Strand, London WC2R 1LA**

- 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 John Lear of Biological Preparations Ltd t/a BioHygiene against the decision of City of Westminster Council.
  - The application Ref.18/07427/LBC, dated 30 August 2018, was refused by notice dated 17 October 2018.
  - The works proposed are described as 'cleaning of the Portland stone staircase'.
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## Procedural Matters

1. No site visit was completed in this case as it was not necessary for me to inspect the staircase in order to determine the appeal. I have taken the address, and the description of what are said to be the works, from the Council's decision notice.

## Decision

2. No action for the reasons set out below.

## Reasons

3. Somerset House is a Grade I listed building. Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) says that subject to the following provisions of this Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.
4. The appellant intends to remove staining from the Portland stone staircase by liberally spraying BioHygiene stone cleaner, diluted or neat, on the affected areas, then agitating with a soft brush, before rinsing with clean water, and subsequently allowing the stone to dry naturally. The appellant says in terms that this process will not cause damage to the stonework<sup>1</sup> and I have no good reason to disagree with that.
5. That being the case, the cleaning process proposed would not constitute works for the demolition, alteration, or extension of a listed building in a manner that would affect its character as a building of special architectural or historic interest. What is proposed does not, therefore, require listed building consent and no action is required on the appeal.

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<sup>1</sup> On the original application form and in the Statement of Case on the appeal

6. I appreciate the concern of the Council, and Historic England, that the cleaning process might cause damage to the Portland stone staircase. There is no good reason to believe that it would but if the appellant was reckless enough to carry out the cleaning process in a way that that did cause damage, then this might well be viewed as an unauthorised alteration to the listed building. The remedy would then be action under Sections 9 and/or 38 of the Act.

Paul Griffiths

**INSPECTOR**