
Appeal Decision

Site visit made on 29 March 2022

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2022

Appeal Ref: APP/X5990/Y/21/3279183
18 Ennismore Gardens, London SW7 1AA

- 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 K Ataullah against the decision of City of Westminster Council.
 - The application Ref 20/07488/LBC, dated 20 November 2020, was refused by notice dated 18 January 2021.
 - The works proposed are a new internal stair design in a new location, internal layout alterations including new powder room at ground floor level and new bathroom at second floor level, 2 no. new windows on the side wall at first and second floors, rationalisation of the rear side wall with removal of redundant pipework, provision of lift access to first floor, new partitions to create bedroom 2 at second floor level, rearrangement of access to rear bedroom at second floor level and installation of new cornicing and panelling across the property.
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Decision

1. The appeal is allowed and listed building consent is granted for a new internal stair design in a new location, internal layout alterations including new powder room at ground floor level and new bathroom at second floor level, 2 no. new windows on the side wall at first and second floors, rationalisation of the rear side wall with removal of redundant pipework, provision of lift access to first floor, new partitions to create bedroom 2 at second floor level, rearrangement of access to rear bedroom at second floor level and installation of new cornicing and panelling across the property at 18 Ennismore Gardens, London SW7 1AA in accordance with the terms of the application Ref 20/07488/LBC dated 20 November 2020 and the plans submitted with it subject to the conditions set out in the schedule to this decision below.

Procedural Matters

2. In April 2021, after making its decision, the Council adopted the City Plan 2019-2040 (CP). The policies contained within it supersede those of the Westminster City Plan, November 2016 and the saved policies of the City of Westminster Unitary Development Plan, January 2007. Although listed building appeals are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004 and do not need to be determined in accordance with the development plan, I have born in mind the heritage and conservation policies of the CP in reaching my overall conclusion.

Main Issue

3. The main issue is whether the proposed works would preserve the listed Grade II building or any features of special architectural or historic interest that it possesses.

Reasons

4. No. 18 Ennismore Gardens (No. 18) forms part of the Grade II listed building known as 10-25 Ennismore Gardens (List Entry number: 1066845) and is within the Knightsbridge Conservation Area (CA). The listed building comprises a terrace of mid-19th century houses, of five storeys plus basement featuring Portland stone frontages and ornate Classical detailing. Amongst other things, the statutory list description identifies the listed building as being part of coherent development on four sides of a garden square.
5. The significance and special interest of the listed building is derived in large part from the architectural coherence and execution of its Classically ordered Portland stone frontage. By extension, significance and interest comes from the contribution the listed building makes to the wider townscape and the fashionable development of Knightsbridge during the mid-19th century. Whilst individual properties have ostensibly much altered over time, including through subdivision into flats, significance also comes from its historic integrity, to which surviving historic fabric, and continued legibility of original historical plan-form and the hierarchy within internal spaces of individual houses all contribute.
6. The special interest and significance of the CA is derived in part from the architectural and historic interest of its high-Victorian cultural and residential development focused on the Albert Hall, as well as the carefully planned squares and terraces of a scale and grandeur that reflected the Victorian speculative development of the area. Part of the built backcloth of 19th century development, No.18, the wider listed building and Ennismore Gardens make a positive contribution to the character and appearance of the CA as a whole.
7. No.18 stands roughly centrally within the wider listed terrace and, externally, is integral to its overall composition. Internally, No. 18 has been subject to various changes including subdivision into flats in the mid-20th century; alterations including the introduction of a lift, removal of a secondary staircase and changes to layout and plan form. More recently, the Council has granted listed building consent for works associated with the amalgamation of two previously separate flats into a three-bedroomed maisonette, including the introduction of a new internal stair between first and second floor levels (LPA Ref: 18/10591/LBC) as well as works at first and second floor levels, including new windows, removal of redundant pipework, and changes to door openings, partitions and cornicing (LPA Ref: 19/06485/LBC).
8. Where it survives, historic fabric, plan-form and hierarchy of internal spaces are of value to the listed building as a whole; this includes surviving features at No. 18 such as surviving historic detailing, and location and fabric within its principal staircase. Notwithstanding elements of significance remain, the first and second floor levels at No. 18 have been subject to changes, notably where subdivisions have disrupted original layout and room proportions.

9. The appeal scheme also proposes various further changes including to the internal layout; provision of a new second-floor bathroom; lift access to first floor; installation of decorative features; re-positioning door openings and new window openings at first and second floor level. Some of these elements were included as part of the previously approved schemes. The Council's main objection to the proposed works pertains to the proposed position of a new staircase, which would be located towards the centre of the building. Under the previously consented scheme, a new staircase would have been located towards the rear of the building close to the lift shaft.
10. The appellant contends that the positioning of the staircase opposite the new maisonette's entrance would rationalise the circulation within the maisonette whilst also facilitating use of the currently blocked lift access. At present this area provides a hallway and bathroom to the first floor flat, and wc and kitchen to the second floor flat. Having already been compartmentalised and subject to modern interventions, the floor plan and layout within extant central and rear first and second floors of No. 18 contribute little to the integrity or overall significance and special interest of the listed building as an entity.
11. There is no question that the installation of the staircase being proposed would adapt the building's historic circulation route, which would likely cause loss of historic fabric. So too would the introduction of new windows at the rear of the building result in a small loss of historic fabric. On this basis, these aspects of the proposal would cause some harm to the significance of the listed building.
12. The position of the consented staircase towards the rear of the building may have been closer to that of an historic service stair. However, keeping in mind the lost layout and plan-form and the changes that have already been carried out or approved, it would not deviate to any significantly greater extent than the approved scheme from the hierarchy of the first and second floor levels within the building. Indeed, the original plan-form and room proportions within the centre of the building have been significantly diluted by the partitioning inserted and the consented scheme would have seen a new stair and, likely loss of fabric. In addition, the proposed staircase would be a freestanding, lightweight structure that would be clearly read as a modern addition. In respect of the new windows, these would be authentic albeit new material and construction. Furthermore, I am mindful that similar works for the windows are contained in a previous approval. These factors cause me to find the degree of harm arising from the proposed works to the listed building would be less than substantial and at the lower end of that scale.
13. The removal of redundant pipework and new bathroom at second floor also benefit from previously granted consent. The small section of pipework on the rear return façade of the closet wing does not make a valuable contribution to the building's significance and its removal would not undermine the architectural quality or coherence of the principal elevation. The proposed repartitioning and provision of the bathroom would be in parts of the building that have already undergone such changes. Consequently, these alterations would have a neutral impact that would avoid additional erosion of legibility of the plan-form or harm to the listed building's special interest in this respect.
14. The proposal includes adding various decorative features, which generally seek to reinstate the historic detailing and decoration in evidence in the listed building. This includes cornicing, panelling to the proposed stair compartment,

skirting and dado rails. In principle, the approach taken would be sympathetic and would better reveal the status and traditional detailing, and represent an investment into its fabric, thereby enhancing its significance.

15. The submitted plans also indicate areas of new ceiling to the first floor front room and the room in the rear of the closet wing. Notwithstanding the Council's concerns, in my view, a condition could require a more detailed survey of the condition of the ceilings and schedule of works to establish and therefore justify the scope and nature of works to them. Likewise, further information relating to existing doors can be suitably addressed through a condition requiring a schedule and methodology of the condition and proposed works to them.
16. The works proposed includes some external alterations such as the insertion of new windows and removal of pipework, but for the most part the works would be confined to the interior of the building. The modest external alterations would be sympathetic to the architectural character of the building and would not affect the uniformity of the principal elevation. Accordingly, the works would preserve the special interest of the CA, the significance of which would not be harmed.

Heritage balance

17. In respect of the harm I have identified to the listed building, paragraph 202 of the National Planning Policy Framework (the Framework) requires this weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
18. The works previously approved allow for a new internal stair towards the rear of the floorplan and adjacent to the lift. Its position would prevent occupants of the maisonette from accessing the internal lift. The appeal proposal would provide lift access to the first floor of the dwelling that would facilitate improved access for all, including wheelchair users or those with mobility issues. The optimum viable use of the listed building would be the continuation of residential use, albeit as flats. To my mind, the proposed works would ensure continued security of the optimum viable use of the listed building through facilitating improved accessibility for all users, better functionality of the internal space and investment into its fabric at No. 18. These amount to public benefits of the proposal that I consider carry great weight in its favour.
19. The proposals include reinstatement of traditionally detailed decorative features such as cornicing that replicates motifs found at Nos. 16 and 17 Ennismore Gardens and reinstatement of original proportions of the principal reception room. These aspects of the scheme would better reveal the detailing, status, plan-form and hierarchy of internal spaces at No. 18, enhancing the significance of the listed building. I attribute moderate weight to this aspect of the proposals.
20. Taken together, I find that the weight of public benefits associated with the proposal would be sufficient to outweigh the less than substantial harm to the significance of the heritage asset I identified, and the great weight it carries.
21. On balance, I consider that the proposed works would result in an overall enhancement of the significance of the listed building. Albeit this is in the context of accepting that there would be less than substantial harm caused by the insertion of the new stair and the fabric loss associated with the insertion of

new windows. That harm, however, would be outweighed by the public benefits identified. Overall, the works would satisfy section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; the Framework; and accord with policy 39 of the CP insofar as it requires works to listed buildings to preserve the asset's special interest, relate sensitively to the period and architectural detail of the building and protect or, where appropriate, restore original or significant details and historic fabric. I also find the proposed works would be consistent with the guidance contained in the Council's Repairs and Alterations to Listed Buildings, Supplementary Planning Guidance 1995, insofar as it encourages the reinstatement of missing architectural features where there is evidence of their original appearance.

Conditions

22. I have considered the Council's suggested conditions and, where necessary, amended them for clarity. In addition to the standard time-limit condition, I have included conditions requiring works to match and any damage caused during the works is made good to ensure preservation of the listed building. Conditions requiring a full schedule and methodology for works to doors and ceilings are necessary to ensure works do not cause unjustified harm or loss of features or historic fabric of interest. In order to provide certainty and to preserve the special interest of the listed building, I have included a condition requiring further details of internal joinery, plasterwork detailing, structural elements of the new stair, doors, and acoustic insulation be provided.

Conclusion

23. For the reasons set out above, I conclude that the appeal should be allowed.

Helen O'Connor

Inspector

Schedule of conditions

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) Except where indicated otherwise on the approved drawings or as required by any other condition attached to this consent, all new external and internal works and finishes and works of making-good, shall match the existing original adjacent work in respect of materials used, detailed execution and finished appearance.
- 3) Upon completion of the works authorised by this consent, any damage caused to the building in the course of carrying out the works shall be made good within 3 months in accordance with a scheme submitted to, and approved in writing by, the local planning authority.
- 4) Prior to the commencement of the relevant part of the works, a schedule and methodology detailing the current condition, proposed repair, upgrading or justification for the replacement of any doors, including works of making good, shall be submitted and approved in writing by the local planning authority. The works approved shall then be carried out in accordance with the approved methodology and details.
- 5) Prior to the commencement of the relevant part of the works, a schedule and methodology detailing the condition, proposed repair or justification for the replacement of any internal ceilings and decorative plasterwork, shall be submitted and approved in writing by the local planning authority. The works approved shall then be carried out in accordance with the approved methodology and details.
- 6) No works shall take place until detailed drawings showing:
 - (a) the design of proposed skirting and dado rails;
 - (b) the design of proposed plasterwork detailing including cornicing and ceiling roses;
 - (c) the new structural elements associated with the insertion of the proposed staircase;
 - (d) the design of new internal or upgrades to existing doors;
 - (e) the design of proposed acoustic insulation at the floors;shall have been submitted to and approved in writing by the local planning authority (at scale of 1:10 for elevations/plans and 1:5 for sections). The works shall be carried out in accordance with the approved details.