



Appeal Decision

Site visit made on 10 May 2022

by Mr Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th June 2022

Appeal Ref: APP/X5990/Y/21/3281834

19 Portsea Place, LONDON, W2 2BL

- 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 Ms C Egan against the decision of City of Westminster Council.
 - The application Ref: 21/03800/LBC, dated 8 June 2021, was refused by notice dated 15 July 2021.
 - The works proposed are refurbishment and alterations to second floor, including relocated bathroom and new partition.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. Although the proposal is in the Bayswater Conservation Area (the CA), the effects of the proposed development on the CA have not been identified as a main issue by either party, I have dealt with this issue under 'Other Matter'.

Main Issue

4. The main issue is whether the proposed works would preserve the Grade II listed building, '14-22 Portsea Place W2' (Ref: 1265523), and any features of special architectural or historic interest that it possesses.

Reasons

5. The appeal relates to No 19 Portsea Place (No. 19) which is one of nine different dwellings that comprise the listed building. The statutory list description identifies the group value of the terrace, which dates back to circa 1820, and concentrates on the external features of the group. The list description is an aid to identification and should not be interpreted as limiting the significance and special interest of the building to those features only.
6. The listed building, dated to circa 1820, is a diminutive Georgian terrace with an undercroft leading to mews dwellings at the rear. It has three storeys and a basement, with each dwelling consisting of two bays which are two rooms deep. The building is located within the Bayswater Conservation Area.
7. No. 19 exhibits several of the typical characteristics of late Georgian terrace development, both internally and externally. Consistency and standardisation

are key characteristics of Georgian terrace development and the historic architectural features of the building, its floor plan and traditional materials, all contribute its special historic and architectural interest.

8. Although the ground and first floors of Georgian terraced houses are often higher status interiors, other floors can also contribute to the special interest particularly if these can help to tell the story of how the house was used when it was first built and how it might have changed over time to meet the needs of different occupants. Therefore, the legibility of the historic layout as well as surviving historic features and fabric can all be important. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with its historic plan form, room proportions and internal features.
9. The proposed works consist of alterations to the second floor, including the relocation of the existing bathroom and the erection of a new partition. This would result in significant changes to the proportions of the front second floor room which retains its historic proportions. The proposed partition would also affect the symmetry of the room by obscuring the view of one of the existing alcoves, which, unlike the historic fireplace, remains in place. While part of the chimney breast would still be visible from the second floor room, the mirror effect created by both alcoves to either side of the chimney breast would be lost, therefore affecting the balance and symmetry of this historic feature.
10. Furthermore, the proposal would also include a sliding door between the back room and the proposed new bathroom which, with its associated track and very different opening mechanism, would be a wholly unsympathetic and alien addition to the building.
11. Changes have been made to the original plan form, including to the second floor of the building, with the conversion of the rear room into a bathroom. The original opening from the main staircase to the rear room was removed, assumedly to facilitate the conversion, and the proposal would seek to reinstate this. Although the reinstatement of such historic features would be welcomed, the proposal would still result in significant changes to the overall layout and proportions of a room that remains, for the most part, unaffected by later changes.
12. The Appellant also highlights that the proposed works are demountable and reversible and that, as such, together with the second floor's position in the house's hierarchy, other comparable floors in the Terrace and the scale of the proposed works, there would be no harmful impact on significance.
13. However, once the works are carried out, there would be no guarantee that these would be reversed or that there would be an incentive to do so. Moreover, I have not been presented with compelling reasons or evidence to permit the proposed temporary harm to the listed building and to the significant of the asset.
14. Given the above, I find that the proposal would fail to preserve the special interest of the Grade II listed building. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
15. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the

significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the moderate scale of the proposed development and its demountable and reversible nature, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.

16. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings.
17. The Appellant is of the opinion that the proposal would cause no harm as the proposed works are moderate in scale and would only affect the second floor, which is not of particular significance and has already become modern in its character and appearance. The Appellant also states that the proposal has the benefit of reinstating the original opening from the stairwell and contributing to the Council's housing objectives in relation to family housing, particularly the need to protect all existing family housing and providing opportunities for growing families to remain in their existing home.
18. However, while the relocation of the existing bathroom and consequent creation of an additional bedroom would expand existing living facilities, these public benefits are not sufficient to outweigh the harm that I have identified. In any event, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
19. Given the above and in the absence of sufficient public benefit, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and development plan policies insofar as relevant. It would also be inconsistent with the advice set out in the Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings (April 1996).

Other Matter

20. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area.
21. As the proposed works would result in alteration to the interior of the property only, I find these would not harm the character or appearance of the CA thus preserving its significance.

Conclusion

22. For the reasons above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Mr Pinto

INSPECTOR