
Appeal Decisions

Site visit made on 15 September 2022

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 NOVEMBER 2022

Appeal A Ref: APP/X5990/W/20/3263840

25-27 Norfolk Square, London, W2 1RX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Touriste against the decision of City of Westminster Council.
 - The application Ref 20/04647/FULL, dated 21 July 2020, was refused by notice dated 17 September 2020.
 - The development proposed is the erection of a rear extension at third and fourth floor and other internal alterations to upgrade the existing hotel.
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Appeal B Ref: APP/X5990/Y/20/3263838

25-27 Norfolk Square, London, W2 1RX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservations Area) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Touriste against the decision of City of Westminster Council.
 - The application Ref 20/04648/LBC, dated 21 July 2020, was refused by notice dated 17 September 2020.
 - The works proposed is the erection of a rear extension at third and fourth floor and other internal alterations to upgrade the existing hotel.
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Decisions

1. Appeal A is dismissed. Appeal B is dismissed.

Procedural Matters

2. These decisions address the planning appeal (Appeal A) and listed building consent appeal (Appeal B) for the same site. Notwithstanding a request for me to disregard outstanding internal works, for the avoidance of doubt, I have considered the scheme on the basis of the plan proposals that were before the Council when it made its decisions. The exception to this is the internal works that have subsequently been granted listed building consent by the Council which I saw, during my site visit, were being carried out.

Main Issues – both appeals

3. The main issues are whether the development and works would preserve a Grade II listed building known as 25-53 Norfolk Square and 34 Norfolk Square, or their setting or any features of special architectural or historic interest it possesses, and whether the character or appearance of the Bayswater Conservation Area would be preserved or enhanced.

Reasons

Listed buildings and Bayswater Conservation Area

4. The appeal site forms part of the Grade II listed building comprising 23-53 Norfolk Square and 34 Norfolk Square (List Entry 1225257) comprising mid-19th century brick and stuccoed townhouses, each five storeys plus attic and basement and three bays. Occupying 25 and 27 Norfolk Square, the appeal site shares common architectural features such as projecting porches, balconies, arched openings, iron railings, architectural features and windows corresponding to different floor levels. Overall, the careful balance, detail, and ordering of these features are overriding architectural qualities that contribute to the listed building's grand and classical design, group value and overall special interest.
5. In contrast with the more ornate and detailed frontage, the brick constructed rear elevation of the terrace is simpler and with the existence of projecting closet wings, reflects a humbler secondary service focus. There is some variation in design of the top attic storeys, with some being mansard designed both to the front and rear. Nevertheless, the positioning and the design of the upper storey windows are generally evenly spaced apart and there is order in the fenestration, with attic storey windows that are smaller in size than those below. There is a rhythm of projecting closet wings sited at regular intervals along the rear which generally terminate before the penultimate storey. As such, the upper storeys are balanced, ordered and uniform, partially reflecting and complementing the grand and imposing classical façade, and this too, is an aspect of the building's special interest and significance.
6. A number of individual townhouses that compromise the Norfolk Square listed buildings have been subject to alterations and extension over time. This includes a flat roof 3 storey extension across the full width of Nos 25 and 27, extensions at Nos 23, 29, 31 and 33 Norfolk Square, and a contiguous two storey extension across the full width of the remainder of the terrace up to No 53. The later extensions are clearly identifiable against the original historic rear elevation and have a subservient relationship to the principal building. The closet wings at Nos 23, 29, 31 and 33 Norfolk Square have been subject to rebuilding and extension. Yet across the terrace as a whole, the closet wings reinforce the balance, repetitive rhythm and regularity across the listed building's rear elevation. The consistent height and subordinate nature of the closet wings are unifying features which are of overriding importance to the classic design of the listed building, that is, integral to its significance and special interest.
7. The use of Nos 25 and 27 as a hotel has compromised much of the original historic plan form, layout and fabric of the buildings. However, the ground floor in both buildings, in particular the principal front rooms, hallway and main staircase are largely intact. This surviving historic fabric and historic plan form, that differentiated a social hierarchy of internal spaces within the building, is of significance and special interest. Typically, the frontage rooms would have been more formal in purpose and larger in size than those to the rear.
8. The adjoining Grade II listed terrace at 1-21 Norfolk Square (List Entry 1225254) share common classical architectural features and qualities. To the rear, there are contiguous lower floor extensions but a predominantly consistent pattern of fenestration and closet wings, that terminate short of

their penultimate storeys. This is similar to much of the neighbouring appeal terrace and this conformity across both listed terraces contributes to a pleasing repetitive rhythm that unifies the appearance at the rear of these Grade II listed terrace buildings and underlines their group value, significance and special interest.

9. The Bayswater Conservation Area details different phases of development in the 19th century. Key qualities are the classical architecture, stuccoed terraces and planned streets, avenues, and squares. Within this context, the listed Norfolk Square terraces are of similar classic design and intrinsic to the planned formal layout of the area, including the square that it faces, and were part of the first phase of development in the area. It illustrates the substantial growth of London that took place at the time and the people who the houses were built for. The listed terraces are part of the built backcloth that is of value to the character and appearance of the Conservation Area as a whole, and architectural qualities are part of its significance and special interest.

The effect of the proposals

10. The proposed two storey extensions, above the existing closet wings at Nos 25 and 27, would be of similar height and position to those at Nos 29, 31 and 33. However, the extensions, terminating before the attic storey, would be markedly out of kilter with the predominant pattern of the closet wings along the listed terrace which terminate at lower storey levels. Thus, the proposals would diminish the subordinate relationship of the closet wings relative to the terrace by virtue of an excessive upward extension which would limit views of the upper part of the building, including its parapet and roofline.
11. As part of the proposal, fire escape staircases, walkways and fire doors on the upper storeys would be removed but the proposed extensions would add significantly greater bulk at a high level to Nos 25 and 27. The extensions would severely disrupt the character and appearance of this Grade II listed terrace and the adverse effects of the extensions' bulk on the listed terrace would be noticeable from surrounding properties, including those opposite in Sussex Gardens.
12. The historic plan form has been compromised in large parts of both buildings at Nos 25 and 27 but for the ground floor principal room at No 25, the removal of the chimney-breast and fireplace, associated widened room access and subdivision, would undermine its spatial proportions and architectural integrity. By reason of the opening, there would be an abnormally large corridor between the two hallways of both buildings. Such alterations and changes would adversely impact upon surviving room hierarchy and fabric within the listed building. To accommodate the closet wing extensions, the adjacent room spaces on the rear storeys, would be substantially and awkwardly subdivided through partitions for two hotel bedrooms, including shower/WCs. Although these rooms would be originally small compared to the front rooms, such a split-up of space would be considerable, diminishing any sense of their original form.
13. There are no public views of the rear of the terrace, but listed buildings are safeguarded for their inherent architectural and historic interest. For all these reasons, the historic and architectural integrity of the listed terrace would be adversely affected, and the proposed extensions would fail to preserve the listed building. The proposed works and development would weaken the

appreciation of the rhythm of the closet wings in the wider vicinity and the nearby listed terrace. Thus, the cohesive unity of design, architectural and historic coherence that underpins the character and appearance of the Bayswater Conservation Area, as a whole, would be diminished causing harm.

14. The proposed development and works would not preserve the special architectural interest of the listed terrace at 23-53 Norfolk Square and 34 Norfolk Square leading to conflict with the requirements of s66(1) and s16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The proposed development would also not preserve the character and appearance of the Bayswater Conservation Area in conflict with the requirement of s72(1) of the Act.

Heritage and planning balance

15. Given the localised extent of the development and works, the degree of harm to the significance of the Grade II listed building and Conservation Area, as designated heritage assets, would, in each case, be less than substantial in terms of the National Planning Policy Framework (the Framework). In accordance with paragraph 202 of the Framework, this harm should be weighed against the public benefits of the proposed development, including securing the optimum viable use.
16. The hotel accommodation was poor quality, and the development would result in the significant upgrading of facilities, including additional bedroom provision. The proposal would realise some investment into the fabric of the listed building, and the unsightly fire escape structures and features would be removed. There would be associated benefits in supporting visitor infrastructure and the economy in London. However, there is no convincing evidence to justify that the nature of the proposed works and development would involve minimum harms to realise such benefits. I therefore consider the sum of wider public benefits associated with the proposal would not outweigh the considerable importance and weight that even less than substantial harm to designated heritage assets carries. Therefore, for each asset, conflict arises with the historic environment protection policies of the Framework.
17. The London Plan 2021 Policy E10 supports the growth of London's visitor infrastructure. Westminster City Plan (CP) 2016 Policy S23 encourages proposals to improve the quality and range of hotels. Westminster Unitary Development Plan (UDP) 2007 Policy TACE2 confirms that planning permission for extensions to hotels should be granted, subject to meeting certain criteria.
18. However, the development would conflict with Policies S25 and S28 of the CP and Policies DES 1, DES 5, DES 9, DES 10 of the UDP, which collectively and amongst other matters, seek the conservation of heritage assets, the highest standards of design and architecture, development to respect character and appearance, preserve and complement features of special architectural and historic interest, and to preserve or enhance the townscape of Westminster. Consequently, there would be conflict with the development plan, taken as a whole. There would be no material considerations that indicate that the planning appeal be determined other than in accordance with the development plan.

Conclusion

19. For all these reasons given above and having regard to all other matters raised, I conclude that Appeals A and B should be dismissed.

Jonathon Parsons

INSPECTOR