



Appeal Decisions

Site visit made on 2 August 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2024

Appeal A: APP/X5990/W/24/3336421

87 – 88 & 89 Mount Street, London W1K 2SR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Birley Group against the decision of City of Westminster Council.
 - The application reference is 23/01786/FULL dated 17 March 2023 was refused by notice dated 10 October 2023.
 - The development proposed is described by the Council as the "Demolition of shopfront and erection of new panelled double door with side panels, fixed canopy above the entrance to No.89, and associated works. (Linked with 23/01787/LBC)."
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Appeal B: APP/X5990/Y/24/3336454

87 – 88 & 89 Mount Street, London W1K 2SR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Birley Group against the decision of City of Westminster Council.
 - The application is 23/01787/LBC dated 17 March 2023 was refused by notice dated 10 October 2023.
 - The works proposed are "Demolition of shopfront and erection of new panelled double door with side panels, fixed canopy above the entrance to No.89, and associated works. (Linked with 23/01786/FULL)."
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Decision

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

Preliminary and Procedural Matters

2. As the proposal relates to a listed building and is within a Conservation Area, (CA), I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
3. George, a private members club, occupies Nos 87-88 Mount Street. A single retail unit adjacent occupies Number 89 Mount Street and arose due to 1970's bomb damage to the building. The evidence points to very little historic fabric surviving at ground floor level to this unit.
4. There is an extant planning permission and listed building consent for a scheme at Numbers 87-88 Mount Street¹.

¹ Application Reference 21/09493/FUL Use of basement and ground floor of 89 Mount Street as a private members club (sui generis) linked with the existing private members club at 87-88 Mount Street with associated internal alterations including alterations to shopfronts. Approved 16 June 2022.
Application reference 21/0749/LBC Internal and external alterations including alterations to shopfronts. Approved 17 June 2022

5. The scheme allowed No 89 to be combined from a single shop unit into 87-88 Mount Street. This is by way of the existing entrance door recess omitted and door moved flush with the existing shop window therefore forming a continuation of the existing frontage to George. Other changes to this frontage were also included as part of the approved scheme.
6. From my observations on site, I could see that works had been carried out to implement the extant permission. This combined the former retail unit with George, and is currently being used as a dining space with an external pavement terrace in front. From my observations, the implemented scheme differs from the approved scheme.
7. Based on my external assessment, a double door, fixed canopy and internal lobby framed by a new replica console pier to match the existing has been erected. The proposals therefore vary the design and appearance of the previously approved scheme.
8. The proposal before me is further complicated by the fact that no description of the proposal has been given in the application forms submitted by the appellant. I note the description of the proposal within the submitted appellant's appeal forms varies from the Council's description as it states 'Provision of new panelled double doors with side panels; installation of canopy above the entrance to No. 89; and associated works'.
9. I am not presented with the chronology of the implementation of works and development on site. In the interest of transparency however, I have used the description from the Council's decision notice to describe the proposal as this best describes what I observed on site.

Main Issues

10. The main issues are whether the proposal would preserve a Grade II listed building known as 87-102, Mount Street W1 (List reference: 1223623) (the LB) and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Mayfair Conservation Area (the CA).

Reasons

Significance and special interest

11. The LB occupies a large footprint which fronts onto Mount Street and South Audley Street. Consequently, the statutory listing not only includes 87 to 102 Mount Street but also 26 to 33 South Audley Street. The building dates from between 1889-1895 as a grand terrace with a return along South Audley Street. It comprises three storeys with ornamented gables at fourth floor level and prominent terracotta chimney stacks. It is constructed of fine quality red brick and moulded terracotta with slate roofs in an ornate, Franco-Flemish Renaissance style.
12. It is a particularly fine illustration of late-19th century purpose-built mixed development comprising commercial and residential architecture associated with the redevelopment of the Grosvenor Estate. The building's architectural value is derived from its architectural composition and by the use of high-quality, consistent palette of materials. The prominence of the building and its

harmonious architectural integration with nearby buildings is such that it makes a significant contribution to the historic townscape.

13. Given the above, I find that the special interest of the LB, insofar as it relates to these appeals, to be primarily associated with the architectural and evidential value of its principal façade as well as its historic value as an exemplar of the redevelopment of the Grosvenor Estate.
14. Turning to the CA, its character is one of contrasts derived from its gradual and more comprehensive redevelopment from the mid-19th century. Its significance is in part attributed to the Grosvenor Estate and the comprehensive redevelopment in Mayfair between 1880 and 1914. This led to a more limited range of architectural styles but provided thematic integration that unified key areas of townscape. One such unifying approach is exemplified by the rich terracotta decoration along Mount Street and South Audley Street and a strong rhythm of bay and gable, turrets and towers. The articulation arises from the well considered Franco-Flemish Renaissance architectural language that is well suited to high status buildings of the time.
15. Given the above, I find that the significance of the CA, insofar as it relates to these appeals, to be primarily associated with the architectural integrity of these buildings that remain substantially intact as a valuable component within a wider streetscape of Victorian buildings, making a positive contribution to the character and appearance of the CA as a whole.
16. I observe that there is a variation to entrance doors along Mount Street with entrances to the residential mansion blocks above ground floor more or less intermittently spaced between the commercial units. The entrances to upper floor flats follow a similar design approach with flush fitting decorative timber and a combination of timber or glazed single doors under a scroll-effect stonework or other decorative form.
17. Ground floor retail units are identified by their traditional appearance comprising stallriser and large curved glazing panels and transom light, recessed entranceway of partially glazed timber panel doors with a large proportion of glazing and advertising fascia panel above. Wide retractable canvas awnings over the shop fronts and other commercial premises provides functional protection to goods and customers.
18. The proposed entrance door to the lower ground area would be panelled, solid in appearance, painted black with gold coloured rosette-style emblems around its perimeter incorporating a double fan light above each door with dog motif, and a pair of lamps to panels to either side. The route to the main entrance would be flanked by the same wraparound terrace enclosure at George with solid, brass-style life size dogs sitting on a plinth either side of the pathway.
19. Whilst a solid timber door would not appear inconsistent in this location, there is significant disparity with its design. This is because it incorporates fanlights, as opposed to an insertion above the doorway. It would also incorporate incongruent dog motifs and a pair of life-size dogs flanking the entrance. These features would appear highly discordant and jarring.
20. Whilst I could see that dogs have a connection with the George business enterprise, I find no substantiated evidence before me of any historical association with these animals and the heritage asset. The lamps on either side

of the door would be excessively ornate. They would be at odds with the traditional lantern lamps of nearby premises as well as the discrete external lighting that characterises Mount Street. As such, they would add to the jarring visual effect of the other discordant elements and introduce unnecessary paraphernalia and inappropriate clutter.

21. The proposed lead canopy would also introduce a further discordant element. I acknowledge that Scott's restaurant, on the opposite side of the road from the appeal site, has a wide lead canopy above its main entrance. However, I observe that, despite its size, it does not form an architecturally discordant or incongruent addition. As such, it is not analogous to the fixed, dome shaped, lead canopy that is proposed with its overly ornate frieze and filigree detailing. Furthermore, single entrances are either devoid of such canopies or have retractable canvas awnings. Nor am I persuaded that the other projecting canopies brought to my attention by the appellant outside entrances on other streets are comparable. This is because they are not experienced within the same architectural context as the appeal site. Moreover, I do not know the full circumstances of their installation or whether they benefit from listed building consent.
22. Given the above, I find that the proposal would not only harm the special interest of the LB but also the significance of the CA through the highly incongruent and jarring effect that it would have on the historic townscape as characterised by the street scene along Mount Street.
23. I acknowledge that the addition of a new stone/terracotta pilaster on the right-hand side of the proposed door would balance the structural architecture of the bay and provide a base to the floating console pediment currently isolated within the fascia of No.89. I also note the new doorway would replicate a historic opening that was affected by bomb damage. Whilst beneficial in heritage terms, they are insufficient to outweigh the harm I have identified. Consequently, the proposal would fail to preserve the special interest of the listed building and the significance of the CA, and I give these harms considerable importance and weight in the planning balance of these appeals.

Public benefits and balance

24. Paragraph 205 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
25. Given the scope of the works and development involved and bearing in mind their proportionality, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimal viable use.
26. The appellant is of the opinion that the proposal would be beneficial because it would enhance the access and arrival experience for the member. However, this is a private benefit and beyond the scope of this test. As such, public

benefits have not been identified that are sufficient to outweigh the harm that would occur. I also note that the continued viable use of the appeal property is not dependent on the proposal as the building has an ongoing use that would not cease in its absence.

27. Given the above and in the absence of defined public benefits that would outweigh the harm that would be caused, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building and that the character and appearance of the Mayfair Conservation Area would be neither conserved nor enhanced.
28. This would fail to satisfy the requirements of the Act, paragraph 203 of the Framework and conflict with policies 38, 39 and 40 of the City of Westminster City Plan 2019-2040. These seek, among other things, to ensure that proposals are well designed, respect existing character and appearance and heritage assets are preserved.

Conclusion

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

Alison Scott

INSPECTOR