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# Appeal Decision

Site visit made on 3 January 2025

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

**an Inspector appointed by the Secretary of State**

**Decision date: 20<sup>th</sup> January 2025**

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**Appeal Ref: APP/X5990/Y/24/3351959**

**Flat 1, 4 Cleveland Square, London W2 6DH**

- 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 Janet Page against the decision of the City of Westminster.
  - The application Ref.24/02576/LBC, dated 19 April 2024, was refused by notice dated 6 June 2024.
  - The works proposed are described as 'internal refurbishment'.
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## Decision

1. The appeal is dismissed.

## The Main Issue

2. No.4 Cleveland Square is part of a terrace of mid 19<sup>th</sup> Century houses (Nos.1-7 Cleveland Square) that make up a Grade II listed building. The terrace lies within the Bayswater Conservation Area. Given the nature of what is proposed, the main issue to be considered is the effect of the proposed works on the special architectural and historic interest of the listed building, and its significance as a designated heritage asset.

## Reasons

3. Flat 1 occupies the ground and lower ground floors of No.4. It was evident from what I saw that the conversion of No.4 to separate flats has had a marked impact on the plan form of the building. In particular, the main entrance door to Flat 1 is set at an awkward angle in relation to the internal wall that bounds the middle room. Moreover, the swing of this entrance door to the flat has made it necessary to provide a lobby into the middle room, entered through the original door opening. While it is bounded by what appear to be Edwardian skirtings and cornices, this lobby disrupts the simple form of the original, middle room to a significant degree.
4. The internal alterations proposed involve the removal of this lobby, the widening of the original door opening into the middle room, with a new entrance into the middle room, re-using the existing door, set closer to the line of the internal wall to the middle room, and the formation of a large opening in the wall between the middle room and the front, reception room.
5. This revised arrangement would give the middle room a plan form, closer to its original format. It would also allow much more daylight into the middle room, and I can appreciate why the appellant is keen to secure that benefit. However, these benefits would come at a cost.

6. First of all, houses of this type were built with cellular plan forms. That characteristic is an important part of their special interest as listed buildings, and their significance as designated heritage assets. The removal of much of the wall between the front and middle rooms, as proposed, would take away from the sense of the two rooms as separate spaces.
7. Of course, the removal would also involve the loss of a significant amount of historic fabric, and I agree with the Council that if the wall between the front and middle rooms is built in the traditional way, with vertical timber studs and diagonal timber bracings, bearing the load from above, and covered with lath and plaster<sup>1</sup>, then it is very unlikely that the arrangement proposed could be arrived at without removing the wall in its entirety. That would very likely lead to the loss of the original cornices too. It would also make necessary, it seems to me, a structural intervention of considerable substance.
8. Enlarging the original door opening into the middle room would also involve the loss of historic fabric and a significant structural intervention but on top of that, the appreciation of the existing opening as the original entrance into the middle room would be obscured.
9. Taking these points together, it is my view that notwithstanding the impact of the original conversion, the proposals would disrupt the plan form of the building, and involve the loss of historic fabric, in ways that would be harmful to its special architectural and historic interest, and its significance.
10. In line with the workings of the Planning (Listed Buildings and Conservation Areas) Act 1990<sup>2</sup>, the National Planning Policy Framework (the Framework) tells us that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Bearing in mind the scale of the asset here, I consider that the works proposed would cause less than substantial harm to its significance. In such a situation, paragraph 215 of the Framework tells us that this harm should be weighed against the public benefits of the proposal.
11. It seems to me that the benefit of the works is largely private, but it might be argued that they provide something of an improvement to the housing stock in reducing the extent to which artificial light is relied upon. As such, the benefits could be regarded as public in nature. However, taken at their highest, these public benefits are nowhere near sufficient to outweigh the harm to the significance of the designated heritage asset that would be caused; harm that must attract great weight. The proposals fall contrary to the approach of the Framework, therefore. I would add that for the same reason, they fall contrary to Policy 39 of the City Plan 2019-2040.

## **Conclusion**

12. On that overall basis, the appeal is dismissed.

**Paul Griffiths**

INSPECTOR

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<sup>1</sup> And there is no evidence to the contrary

<sup>2</sup> S.16(2) applies in this case