



Appeal Decision

Site visit made on 5 February 2025

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st March 2025

Appeal Ref: APP/X5990/W/24/3352954

Falmouth House, Clarendon Place, London W2 2NT

- 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 Cadent Gas Limited against the decision of City of Westminster Council.
 - The application Ref is 24/02981/FULL.
 - The development proposed is the installation of equipment to supply gas to the exterior of the building.
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Decision

1. The appeal is allowed and planning permission is granted for Installation of gas pipework to the exterior of the building at Falmouth House, Clarendon Place, London W2 2NT in accordance with the terms of the application, Ref 24/02981/FULL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos:
 - 24002344_PLN_LOC_2.1
 - 24002344_PLN_EL_1.1
 - 24002344_PLN_EL_1.2
 - 24002344_PLN_EL_1.3
 - 24002344_PLN_EL_1.4
 - 24002344_PLN_EL_1.5
 - 24002344_PLN_SI_3.1
 - 24002344_PLN_SI_4.1
 - 3) Within one month of their installation, the pipes hereby permitted shall be painted or treated to match the colour of the brickwork used in the existing building. The pipes shall be maintained as such, for as long as they remain on the building.

Preliminary Matters

2. The street address provided on the application form appears to use the wrong street name, I have therefore used the address as stated on the Council's decision notice.

Main Issue

3. The main issue is the effect of the proposal on the appearance of the building, including whether or not the proposal would preserve or enhance the character and appearance of the Bayswater Conservation Area.

Reasons

4. The appeal building comprises a nine-storey, plus basement, block of flats fronting onto Bayswater Road. The elevations are finished in brick, with a regimented pattern of fenestration and balconies. It is an imposing and strident addition in the street with a utilitarian design, reflecting its mid-20th century origins.
5. The scheme would result in the addition of pipework to the building in order to facilitate a new gas supply to a number of the flats. This would principally be visible from the two elevations fronting Clarendon Place and Bayswater Road. The pipework would extend upwards from ground floor level, with various junctions along its route to facilitate changes of direction. To a large degree, to the Bayswater Road elevation, the pipework would run beneath an elevation feature that delineates the bottom of balconies before turning upwards. This would have the effect of limiting the visual effect of the pipework. Where it would run without being able to be positioned close to other features of the elevation, the Council's suggested condition of requiring the colour of the pipework to match the elevation, would further limit its visual effect.
6. Similarly, to the Clarendon Place elevation, the pipework would be positioned close to the numerous balconies for a large extent of its route, which again when considered with the use of a mitigating colour, would reduce its visual effect.
7. Additionally, I note that the elevations are not unadorned by other features, there are other services running along the building, which include CCTV cameras and other cabling. While these features may be less extensive than the proposal, they do indicate that additions can be acceptably accommodated to the building's elevations. The addition of the proposed pipework would not result in the elevations of the building appearing cluttered and the rhythm of the fenestration and balconies would remain readily appreciable.
8. The building is located within the Bayswater Conservation Area. I observed that the significance of this designated heritage asset, lies in part, in the quality of the historic townscape features that line the streets in the area. The conservation area information provided by the Council also indicates that the original 19th century development defines the essential character of the area. Nonetheless, the appeal building, as a modern building is a positive feature in the area, which integrates appropriately with the more traditional features nearby.
9. Despite the pipework being a feature that would be visible from the public realm, given that I have found above that there would be no harmful or unacceptable visual effect arising from the works, there would also be no detrimental effect on the character or appearance of the conservation area, and thus its significance would be preserved.
10. Accordingly, I find that the development would not be harmful to the appearance of the building, and consequently it would preserve the character and appearance of the Bayswater Conservation Area. Thus, the scheme accords with policies 38, 39

and 40 of the City of Westminster – City Plan (adopted April 2021). Together, and amongst other things, these policies seek to ensure that development is of a high-quality design and sensitively designed, as well as that heritage assets are conserved.

Other Matters

11. The Council refer to a lack of rationale for the works, including alternatives that include consideration of the installation of electric boilers rather than gas units. However, given that I have found that the scheme is acceptable on its own merits, there is no need to consider further justification or alternatives.
12. While I note the guidance of the Council that ducting should be routed internally where possible, I find that in this case the proposal would not be harmful and as such, this guidance does not alter my findings.

Conditions

13. In the interests of safeguarding the appearance of the building, in addition to the standard plans condition, I have also imposed a condition requiring the pipework to match the colour of the brickwork.

Conclusion

14. For the reasons given above, the appeal should be allowed.

Martin Allen

INSPECTOR