



Appeal Decision

Site visit made on 29 April 2025

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/X5990/W/25/3361606

5 Berners Mews, City of Westminster, London W1T 3AJ

- 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 Dempsey of Store Property Investments Ltd against the decision of City of Westminster Council.
 - The application reference is 24/05102/FULL.
 - The development proposed is the installation of a new front door.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the area including the East Marylebone Conservation Area (EMCA).

Reasons

3. The appeal property is a three-storey building built of London buff stock brick, painted white at the ground floor. It had the appearance of a traditional commercial warehouse building typical of a mews location. It is identified as an unlisted building of merit in the East Marylebone Conservation Area Audit 2006 and as such make a positive contribution to the character and appearance of the EMCA. The significance of the EMCA is defined by its diverse townscape and the range and interest of its buildings and uses and its historical development from the Georgian era onwards. It has a very urban character, with a rich mix of building types and styles; ranging from offices, light-industrial buildings and shops to terraced housing and mansion blocks.
4. There is a wide variation of architectural features within Berners Mews including metal roller shutters and concertina service doors. However, these tend to be on modern buildings outside the EMCA rather than on those within it. From my observations those buildings which are included in the EMCA are distinctive in their style and appearance from those which lie outside it. The appeal building features timber window frames and timber panels in openings at both ground and first floor levels. The timber panels are a notable feature of the building.
5. The replacement door, which is the subject of this appeal, would be finished with a black powder coating reflecting the colour of doors in the adjacent property, which are timber in construction. Its design would be similar to that which it would replace. From the evidence before me, it is suggested that the existing door is not original to the building. However, I have no information with regard to the design of the original door. Nor do I have any finer details of the proposed door including the

profile of glazing bars or panelling details. Therefore, I am not convinced that the introduction of an aluminium door in this location would either preserve or enhance the appearance of the building and therefore by definition the EMCA.

6. The appearance and prominence of a modern aluminium door would be exacerbated by the altered position of the door within the porch recess which would be more noticeable within the street scene than at present where the door is heavily recessed in a deep porch. As such, inappropriately detailed features including the use of aluminium would be unacceptable in this context.
7. Whilst the development is in a mews which functions as largely as a service road and does not form the primary frontage of properties in the EMCA, the appeal property, nevertheless lies within the designated heritage asset. Thus the proposal fails to preserve or enhance the character or appearance of the EMCA and as a result causes harm to the asset. It would however cause less than substantial harm to the significance of the EMCA, albeit at the lower end of the scale.
8. Paragraph 202 of the National Planning Policy Framework (the 'Framework') states that where the harm is less than substantial, this harm should be weighed against the public benefits of the proposal. Other than discouraging anti-social behaviour in the doorway, which the appellant's evidence acknowledges is adequately dealt with by an existing hinged metal gate on the porch entrance, no other public benefits have been suggested. Therefore, the public benefits arising would be extremely limited and would not outweigh the harm that I have found.
9. The proposal would, consequently, neither preserve or enhance the character or appearance of the area including the EMCA. As a result, it conflicts with Policies 38, 39 and 40 of the Westminster City Plan 2021. These, amongst, other things seek to preserve or enhance the significance of the character and appearance of the area including heritage assets,

Conclusion

10. For the reasons given above, having regard to the development plan as a whole and all other relevant considerations, the appeal is dismissed.

KL Robbie

INSPECTOR