



Appeal Decision

Site visit made on 18 February 2025 by S Wilson LL.B. MSc MRTPI

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 09 June 2025

Appeal Ref: APP/X5990/Z/24/3356601

Basement and Ground Floor, 25 Leinster Terrace, London, W2 3ET.

- 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 Wendover Development against the decision of City of Westminster Council.
 - The application Ref is 24/02461/FULL.
 - The development proposed is described as the strip out of the existing shop fit out and replacement with new and alterations to the main street elevation, facing Leinster Terrace, including removal of the existing framing and glazing and replacement with new.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. As I observed on my visit, the development proposed has already been carried out. I have assessed the proposed development as shown on the plans.

Main Issue

4. Whether the proposal would preserve or enhance the character or appearance of the Bayswater Conservation Area (BCA).

Reasons for the Recommendation

5. The appeal building is a mid-terrace property that is part of Leinster Terrace (the Terrace). The Terrace presents a row of shopfronts on one side of the street at ground floor level with residential above and accords with the BCA Appraisal (BCAA) description of mixed use with residential above. The Terrace is distinctly constructed of three different groups of buildings. The differences between the buildings that comprise the Terrace are barely perceptible at residential height given that they have all taken their design cue from each other. However, there are noticeable differences in the roof lines and at some window heights, with the buildings at one end of the Terrace having an additional storey. Regardless, the Terrace detailing presents as uniform regarding fenestration and detailing of the residential element, providing a pleasant symmetry and rhythm.

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The BCAA describes the significance of shopfronts in the BCA noting there are good groups of original shopfronts at key points in the residential areas of the conservation area. The BCAA continues, stating that where they occur in groups, they produce a distinctive mixed-use townscape which stands in striking contrast to the quieter residential quarters. Most of the historic shopfronts are fairly modest, of a simple softwood fascia, cornice, and acanthus brackets to either side. Where the original glazed front survives or has been reproduced in replica, the affect is striking.
7. Key features that tie the shopfronts together at this location are their height, slight protrusion at the base of the first-floor window with ornate railing at this level in some instances, ornate corncicing and corbels, symmetrical fenestration, transom light in the window, low solid stallriser and set back from the footway.
8. To one end there is a group of uniform shopfronts which are formed by the two-storey section of the Terrace. This group of four fronts appears as almost completely uniform with three of the four fronts retaining their basement to street scene relationship and having their shop front openings separated into four equal and vertical segments. Where the segments are glazed, they typically have a stallriser which creates a pleasant rhythm and pattern. All three properties retain a small horizontal window at the top of the segments (transom light) and the only openings onto the street are the entrance doors.
9. To the other end of the Terrace, the four equal segmental approach is mostly mirrored, as is the low stallriser. The middle section retains some elements of the uniformity such as consistent shop front head heights, corncicing and in some instances the four equal segmental design. As a whole there is a prevalent rhythm and pattern in this location that contributes towards the significance of the BCA.
10. The proposal is part of the middle section of the Terrace and has already been built. It does retain the shop front window head heights both below the first-floor sill and above the shop window. It also retains the ornate corncicing, corbelling, and the uniform residential façade above. However, it removes the transom light and divides the shop front into three segments: a doorway and two sash windows and the stallriser is noticeably higher than others nearby. These features fail to respect the vertical and horizontal characteristic of the dominant groups of shopfronts and unbalance the pleasant symmetry of the appeal building as a whole.
11. The proposed large sliding sash windows which face the street, are not a characteristic of the Terrace despite the appellant maintaining that it would enhance the street scene and vibrancy. Furthermore, the proposed windows do not match the existing uniform pattern of the building. For the above reasons, the development diminishes the appeal building's contribution to the significance of the BCA and would be harmful to the character and appearance of the BCA.
12. The above elements jar against the rhythm and pattern present at this location, failing to respect the proportions and architectural style of the building and its relationship with other surrounding façades. In light of the above identified harm, the proposal fails to preserve or enhance the character or appearance of the BCA.
13. The appellant maintains that some features of the appeal building had already been lost and the stripping back and removal of the modern signage and the outside

display enhances the remaining historic features. Whilst the removal of the modern signage would be an enhancement, I have only been provided with extremely limited information regarding the features that the previous shopfront retained. For example, it is not clear from the limited evidence provided, whether the previous shopfront had retained the transom light. As such, for the above reasons and based on the very limited information before me, the proposal would appear to be more harmful to the significance of the BCA than that which existed previously, given that the pre-existing shopfront appears to have retained more of the historic features that contribute towards the significance of the BCA.

14. The harm is localised and as such, in terms of the National Planning Policy Framework (the Framework), is less than substantial. I must weigh the harm to the character and appearance of the BCA against any public benefit the proposal introduces. Whilst I consider that the removal of the modern signage would be a benefit which enhances the area, and that benefits have arisen in terms of employment opportunities during the works, in this instance the limited nature of those benefits would not outweigh the harm to the BCA identified above.
15. Accordingly, the proposal would fail to comply with Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021), or the relevant paragraphs of the Framework, as far as they seek high quality sustainable design that preserves or enhances the historic environment.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR