



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: 12 June 2025

Appeal Ref: APP/X5990/Z/24/3357176

22 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 24/05151/FULL.
 - The development proposed is described as the strip out of the existing shopfront, facing Leinster Terrace, and replacement with new in a design to match existing and including external lighting and signage.
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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 building subject to the appeal is part of Leinster Terrace (the Terrace) and is located within the BCA. 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 Terrace shopfronts together are their height, slight protrusion at the base of the first-floor window with railing at this level in some instances, ornate cornicing and corbels, symmetrical fenestration signalled by mullions, transom lights, low stallriser and set back from the footway.
8. The appellant maintains that significant changes have occurred to the Terrace over the years diminishing the significance of the shopfronts to the character and appearance of the BCA. Whilst there are some shopfronts that have changed their vertical and horizontal patterns, there is a strong pattern of symmetry and historic features remain throughout the Terrace and as such the Terrace as a whole positively contributes to the character and appearance of the BCA.
9. Nos. 19, 20 and 21 are particularly well preserved and, together with the appeal building, they form a distinctive two-storey section of the Terrace. This group of four fronts appears as almost completely uniform, having their shop front openings separated into vertical segments with mullions and horizontal transoms. They have a low and uniform stallriser which reinforces the pleasant rhythm and pattern. The only openings onto the street are the entrance doors, which again are symmetrical.
10. The introduction of a fully openable shop front, which the appellant maintains is to allow customers to sit both inside and outside and to maximise the available space as well as a source of air, when open would disrupt the above-described rhythm and pattern of these shop fronts. There is no existing pattern of shopfronts having a fully openable shop front on the Terrace.
11. Despite support from the South-East Bayswater Residents Association, the openable shopfront jars against the character and appearance of the appeal building and would create a void at ground level, when open, which further unbalances the symmetry of the building and harms the character and appearance of the BCA. Whilst the appellant suggests that the shopfront would be fully open only on some days when the weather was warm, that would still result in the harm described above being experienced on such days and there is nothing before me to suggest that this could be adequately controlled by planning condition.
12. The appellant maintains that the current shopfront is an improvement of a previous iteration of this shopfront and has supplied a photograph to show the replaced shopfront. However, from the limited information before me, it does not appear that the previous existing arrangement included a fully openable shop front. As such, and for the above reasons, I consider that the proposal would be more harmful to the character and appearance of the BCA when compared to the previous position.
13. 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. In this instance, there are no public benefits of the proposal that outweigh the identified harm that would be caused to the Conservation Area to which I attach great weight in accordance with the provisions of the Framework.

14. Accordingly, the proposal would fail to comply with Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021) and 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

15. 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

16. 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