



Appeal Decision

Site visit made on 26 June 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/X5990/D/25/3365836

27 Wilfred Street, London SW1E 6PR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Carlo Comminos against the decision of the Council of The London Borough of The City of Westminster.
 - The application Ref. is 24/08814/FULL.
 - The development proposed is for the installation of metal railings to perimeter of flat roof, a metal ladder with removable handrails to access the roof from the main terrace, a small planter to divide the new terrace area from the solar panel area, and installation of solar panels on roof.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of metal railings to perimeter of flat roof, a metal ladder with removable handrails to access the roof from the main terrace, a small planter to divide the new terrace area from the solar panel area, and installation of solar panels on roof at 27 Wilfred Street, London SW1E 6PR in accordance with the terms of the application Ref. 24/08814/FULL, subject to the following conditions:

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, 2324-05G, 2324-16D, 2324-17D.

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those stated on the application form.

Main Issue

2. The main issue in the determination of this appeal is the effect of the proposal on the character and appearance of the existing dwelling and the surrounds, including the Birdcage Walk Conservation Area (CA).

Reasons

3. The appeal site is a four-storey, terraced dwelling with basement on Wilfred Street. The CA Audit (2008) notes that the area's special architectural and historic interest derives from the small-scale of buildings, the enclaves of stock brick townhouses in

Queen Anne and Georgian styles, the peaceful, restrained character and the green edge formed by St James's Park.

4. Being situated in the CA, I have applied the statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paid special attention to the desirability of preserving or enhancing the character or appearance of the CA by attaching considerable importance and weight to that desirability.
5. The proposed railings and terrace would be formed atop the fourth floor of the appeal unit, which is set modestly behind the principal three-storey element that immediately fronts Wilfred Street. Due to this positioning, the railings and terrace would scarcely be discernible from directly below and opposite. Consequently, the attractive dwarf gable at the summit of the facade would not be adversely affected, and I am satisfied that the frontage as a whole would be preserved.
6. Walking towards Buckingham Gate and looking back towards the appeal site, the fourth floor becomes more obvious in such longer-distance views, and the dwarf gable less evident due to the oblique perspective. At the junction of Buckingham Gate and Wilfred Street the flat roof is broadly framed by the more contemporary design of 23 Wilfred Street and some large chimney stacks in the foreground. It is set against a backdrop of the blank brick wall of the Church of St Peter and St Edward and the vast expanse of The View apartment building, which whilst not in the CA nevertheless dominates the skyline in this direction.
7. Taken in the round, I find that the scheme would not appear out of keeping in this context. The railings and ladder/handrails would be simple in form with no overt or ornate detailing, allowing for views through the bars, and their presence would not dominate or intrude upon any important vistas across the neighbourhood.
8. Moreover, I observed there are myriad railings and terraces elsewhere in the vicinity of the appeal site. Whilst I appreciate that some of these alterations may not have required planning permission (those that did may pre-date current planning policies), and they would not create a precedent for future development, they are nevertheless established features and form part of the character and appearance of the CA.
9. I acknowledge the contents of the CA Audit and the Council's Development and Demolition in Conservation Area (1996) and Roofs – A Guide to Alterations and Extensions on Domestic Buildings (1995) Supplementary Planning Documents, however I have found the scheme acceptable as outlined above.
10. Furthermore, my attention has been drawn to a previous appeal (Inspectorate reference APP/X5990/D/18/3201539), that was dismissed for the creation of a roof terrace at 8 Wilfred Street. Although I have not been presented with full details of this case, the Council's assessment provides quotes from the decision. I note that the proposal was for a glass balustrade that "would appear out of character with the well-preserved front facade of the building". As the appeal scheme is for metal railings and ladder/handrails that I have reasoned would not impact upon the front facade of 27 Wilfred Street, this other example is not directly comparable.
11. The Council states that the installation of the photovoltaic panels is welcomed, and I have no reason to disagree.

12. I therefore conclude that the scheme would not result in detriment to the character and appearance of the existing dwelling and the surrounds, including the CA. It would comply with Policies 38, 39 and 40 of the City Plan 2019-2040, which together seek to ensure proposals relate to surrounding development, meet high standards of design, and ensure heritage assets and their settings are conserved and enhanced, in a manner appropriate to their significance.

Conditions

13. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. A condition requiring external materials in accordance with those listed on the application form would provide for a satisfactory appearance and accord with the appellant's intentions.

Conclusion

14. Having regard to the above and all other issues presented, the appeal is successful.

C Hall

INSPECTOR