
Appeal Decision

Site visit made on 23 April 2025 by R Pankhurst

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2025

Appeal Ref: APP/X5990/D/25/3358824

5 Grosvenor Gardens Mews North, City of Westminster, London, SW1W 0JP

- 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 Mr Cumnuan against the decision of City of Westminster Council.
 - The application Ref is 24/00168/FULL.
 - The development proposed is for a roof terrace including railings and raised decking.
-

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.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the wider Grosvenor Gardens Conservation Area (CA).

Reasons for the Recommendation

4. The Grosvenor Gardens Conservation Area has been the subject of a Conservation Area Audit published in 2006 as a Supplementary Planning Document. This sets out that the CA has a mixed character with several distinct areas of townscape, including the mews. The mews are characterised by distinctive entranceways leading to private streets and properties of a more intimate scale. Their separateness from hectic streets contributes further to their intimate scale. These elements, together with the simplicity of the mews architecture and sense of enclosure, make a strong contribution to the significance of this part of the conservation area as a heritage asset.
5. The Council's Supplementary Planning Guidance (SPG) on Roofs – A Guide to Alterations and Extensions on Domestic Buildings (2004) suggests that terraces at roof level may only be considered favourably where there is a clear consistent pattern established within a terrace. Furthermore, the Conservation Area Audit mentions that roof clutter such as railings can detrimentally impact the area's character affecting both short and long distance views.
6. The original houses that survive in Grosvenor Gardens Mews North are in yellow Gault brick, with red brick string courses and dressings and double width openings

on the ground floor. Although originally constructed in the late 20th century the appeal property shares these characteristics and architectural details and therefore integrates well with its adjoining 19th century mews houses.

7. An additional mansard storey has been added to properties in the terrace, including the appeal property. However, despite these changes to the roof forms of the properties in the terrace, there is still uniformity particularly in terms of scale. This unity of design and appearance makes a positive contribution to the character and appearance of the CA both individually and as part of the terrace. Grosvenor Gardens Mews North does include other non-residential use buildings, however they do not share these characteristics and are therefore viewed in a different context to the terrace.
8. The proposed roof terrace would include railings at both the front and back of the appeal property. The railings at the rear are proposed to be set further back and therefore are unlikely to be visible at street level from Eaton Row. However, the front railings would be set close to the roof edge, and consequently would be very visible from street level at Grosvenor Gardens Mews North and from neighbouring properties at a higher level. People either standing or sitting on the terrace would also be very apparent from Grosvenor Gardens Mews North and neighbouring buildings making the change to the roof form even more evident. Therefore, the proposed roof terrace and railings would introduce a discordant feature that would disrupt the unity of the roof form of the terrace of which it forms part of and their contribution to the CA. Consequently, the proposed terrace would harm the character and appearance of the host property and the CA.
9. The appellant has referred to there being similar roof terraces and railings within the CA and on neighbouring properties. Within Grosvenor Mews North I observed railings on the roof terraces of some buildings but there was no consistent pattern, and those buildings did not share the same characteristics and architectural details as the appeal property or terrace. Consequently, these examples are not comparable to the appeal proposal and do not weigh in favour of it. Furthermore, generally, the examples of roof terraces with railings do not make a positive contribution to the character and appearance of the CA.
10. 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 the conservation area. Given my findings above, the proposed roof terrace would neither preserve nor enhance the character or appearance of the Conservation Area. Given its modest scale in relation to the wider CA, it would result in less than substantial harm to the significance of the CA as a whole. Nevertheless, this is a matter to which I give considerable importance and weight. The National Planning Policy Framework requires that this harm should be weighed against any public benefits of the proposal.
11. Policy 12 of the City Plan 2019-2040 (adopted 2021) recognises the provision of external amenity space for a residential building as contributing to a good quality of life. While the proposed development would increase the amount of amenity space for the occupiers of the property, this is a private benefit. There would be a slight public benefit from improving the housing stock by providing amenity space on a property that does not currently have any, however this would not outweigh the identified harm.

12. For the reasons above, the proposed roof terrace would harm the character and appearance of the host property and the wider Grosvenor Gardens Conservation Area. It would therefore be contrary to policies 38, 39 and 40 of the City Plan which amongst other things, requires development to be sensitively designed having regard to the prevailing scale, character and degree of uniformity in the surrounding townscape.

Other Matters

13. 2-34 Grosvenor Gardens is a Grade II listed building and there would be views to and from it from the proposed roof terrace. However, due to the scale of the appeal property compared to the much larger listed building, the proposal would not impact the setting of the listed building, which would remain residential with smaller properties around it.
14. In their grounds of appeal, the appellant refers to an email exchange and revisions with the Council planning officer over concerns with potential overlooking from the proposed roof terrace. However, this matter has been addressed through revisions during the application process. The lack of harm to neighbouring living conditions is therefore a neutral matter in this appeal.

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.

R Pankhurst

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and agree with the reasoning and recommendation. On that basis the appeal is dismissed.

L McKay

INSPECTOR