



Appeal Decision

Site visit made on 20 August 2025 by S Jamieson BA (Hons) MPlan

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2025

Appeal Ref: APP/X5990/D/25/3368594

3A Devonshire Mews South, London W1G 6QW

- 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 Ms Jacqui Paul against the decision of City of Westminster Council.
 - The application Ref is 24/08885/FULL.
 - The development proposed is the replacement of three existing windows facing onto the existing rear internal courtyard.
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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. The reason for refusal on the Council's decision notice identifies that the proposal 'would not preserve or enhance the character or appearance of the host building and would cause harm to the settings of Grade II listed buildings in close proximity'.
4. The host building is located within the Harley Street Conservation Area. This is acknowledged within the appellant's statement of case which includes consideration of the relationship of the proposal with the CA. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The evidence before me also confirms the listed building to which the Council is referring is 1-6 Upper Wimpole Street. Section 66 (1) of the Act requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision maker should have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which they possess.
5. Given my statutory duties, I have had regard to the above matters in defining the main issue.

Main Issue

6. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Harley Street Conservation Area (CA), and whether it would preserve the setting of the Grade II listed building at 1-6 Upper Wimpole Street.

Reasons for the Recommendation

7. 3A Devonshire Mews South (No 3A) is a mid-terrace property, that forms part of a row of mews houses, which lie within the CA. The significance of the CA lies in its dense urban feel and the high concentration of Georgian buildings, many of which are listed and reflect the planned development of this part of central London during the 18th and 19th century. The CA includes elegant, terraced rows which often have smaller scale mews to the rear. The buildings frequently exhibit finely proportioned façades, stock brickwork, sash windows, and classical detailing. Indeed, the Grade II Listed terraced townhouses at 1-6 Upper Wimpole Street, reflect this character. The evidence before me indicates that the mews buildings on Devonshire Mews South would historically have been associated with the larger townhouses on Upper Wimpole Street.
8. The distinctive mews form of No 3A forms part of a coherent and refined row of buildings on Devonshire Mews South. Its rear elevation overlooks an internal courtyard which sits close to the identified listed building, particularly the rear elevations of 2 and 3 Upper Wimpole Street. The rear elevations of this collection of buildings retain a prevailing traditional aesthetic and this gives legibility to their close historical connection, positively contributing to the significance of the CA and the setting of the listed building.
9. The ground floor level façades facing on to the internal courtyard incorporate windows with a period aesthetic which are single-glazed and multi-paned with timber frames. Consequently, these windows sit comfortably amongst the prevailing traditional detailing and window styles on surrounding buildings.
10. In contrast, the double glazed replacement windows, with their black aluminium frames and absence of any horizontal features to subdivide individual panes, would have an overtly contemporary appearance. They would jar with the white painted timber framed windows on the listed building. They would also disrupt the window pattern at this level seen alongside the remaining window indicated on the plans as 'part of separate ownership demise'.
11. Even though the windows would not be visible from the street, limited public visibility does not obviate the need for design and materials which preserve the significance of the CA. The proposals would be readily appreciable from neighbouring windows, particularly those serving the nearest of the properties within the neighbouring listed building. Given the very intimate relationships to the rear, this would detract from the historical connection and unifying traditional features which positively contribute to the immediate setting of this.
12. Whilst black aluminium framed windows have previously been installed to the lower ground level and to a first floor conservatory at the appeal property, and there are other modern interventions at 2 Devonshire Mews South, these factors do not justify the further erosion of traditional detailing which would be detrimental to the character and appearance of the CA and the setting of the identified listed building. A condition specifying slimline aluminium frames would not be sufficient to assimilate their overtly contemporary style.
13. Given the scale and nature of the proposal, the harm to the significance of the CA and to the setting of the identified listed building would be at the lower end of less than substantial having regard to the National Planning Policy Framework (the Framework). The Framework requires that this harm should be weighed against

any public benefits deriving from the proposal. The appellant contends that the existing windows are not energy efficient and are difficult to maintain. However, there is nothing to suggest that the design and materials proposed are the only way to address these matters and I find that there are not public benefits in this instance sufficient to outweigh the identified harm to heritage assets.

14. I conclude, the proposed development would not preserve the character or appearance of the CA, and would not preserve the setting of the Grade II listed building at 1-6 Upper Wimpole Street. In that regard, it would conflict with Policies 38, 39 and 40 of the City of Westminster City Plan 2019-2040 (April 2021) which, amongst other things, require developments to incorporate exemplary standards of high quality urban design and architecture whilst having regard to the character and appearance of adjacent buildings and heritage assets; to ensure heritage assets and their settings are conserved and enhanced; and to be sensitively designed.

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 Jamieson

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.

M Russell

INSPECTOR