



Appeal Decisions

Site visit made on 11 November 2025

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal A Ref: APP/X5990/W/25/3370474

26 Wellington Road, City of Westminster, London NW8 9SP

- 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 Xen Ioannou of Jyoti Investments Ltd against the decision of the City of Westminster Council.
 - The application Ref is 23/07676/FULL.
 - The development proposed is a basement extension and rear two-storey conservatory with associated internal alterations to existing lower ground floor flat; and new front lightwell.
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Appeal B Ref: APP/X5990/Y/25/3370475

26 Wellington Road, City of Westminster, London NW8 9SP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Xen Ioannou of Jyoti Investments Ltd against the decision of the City of Westminster Council.
 - The application Ref is 23/07677/LBC.
 - The works proposed are as Appeal A.
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Decisions

1. **Appeal A** is dismissed.
2. **Appeal B** is dismissed.

Preliminary Matters

3. As the site comprises part of a listed building, I have had regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act). I have also had regard to section 72(1) of the Act as the site is located within a conservation area.
4. Although the Council is in the process of undertaking a partial review of the City of Westminster City Plan 2019-2040 (City Plan), no policies therein have been presented as relevant to these appeals. I have, therefore, determined these cases in accordance with the extant City Plan.

Main Issue

5. The main issue of both appeals is whether the proposal would preserve the Grade II listed building of 26 Wellington Place NW8¹, or its setting, or any of the features of special architectural or historic interest that it possesses; and the extent to

¹ List Entry Number: 1066117, date first listed 5 February 1970

which the proposal would preserve or enhance the character or appearance of the St John's Wood Conservation Area (SJWCA).

Reasons

6. Described in the official list entry as a detached, two storey villa with basement, the listed building has a grand Italianate aesthetic which is derived from its simple and solid form, classically inspired fenestration arrangement and proportions, raised pilastered entrance within a recessed side bay and light-coloured stucco exterior. Although detached at the time of listing, the building joins the neighbouring dwelling (No.24) on its entrance bay side. Despite this, the staggered front building lines and the stepped down roof heights of the appeal property's side bays and those of its attached neighbour, ensure the villa retains a sense of detachment from the built form around it.
7. The appeal site itself comprises the lowest level and part of the floor above of the listed building, with the remainder of the accommodation relating to a separate property, having already been subdivided from a one household dwelling. As the lowest level is sited below the ground/street, down several steps to the front of the listed building, it is herein referred to as a basement, despite being titled as the lower ground or ground floor by the appellant. The raised entrance, tall, sashed windows with square headed architraves, pediments above and Juliet balcony metal railings on the front elevation of the listed building signify the higher status of the level above the basement. In contrast, the simple recessed sash windows with few architectural features and lower siting of the basement results in it having a demonstrably subordinate relationship with the floor above, which I hereafter refer to as the ground floor.
8. Internally, the low status of the basement level is also reflected by the simple, straight edged and squared-off architectural features within the appeal dwelling, such as the chimney breasts in the lounge and kitchen/dining room. Furthermore, the definition between the principal two storey element of the listed building and the subservient side bays can be appreciated within this level, even if the historic plaster, skirtings and architraves have been replaced.
9. As recognised by the appellant, for the purposes of the Act, a listed building includes both the structure itself and any object or structure fixed to it (whether inside or outside). Moreover, as listings are primarily for identification purposes, they do not provide an exhaustive documentation of the special interest of a heritage asset. Therefore, although not specifically mentioned within the official list entry, the internal features of the appeal site, including its floor plan, form part of the listed building.
10. Consequently, based on the evidence before me and my observations during my site visit, I conclude that the special interest of the listed building, insofar as is relevant to the appeal scheme, relates to its grand detached villa typology and classically inspired architectural features. It also includes the vertical and horizontal hierarchy of the building, evident both externally and internally, and its historic use by a single household.
11. The proposal includes the excavation of the site to provide an additional level beneath the existing basement. This would result in an imbalance to the internal vertical hierarchy which, as identified above, is an intrinsic element that contributes to the significance of the listed building. The existing rear conservatory would also

be replaced with a double height, fully glazed structure extending from the new, lowest basement level up to the height of the existing conservatory. With its marginally smaller footprint than the existing conservatory, there would be a small increase in the amount of external garden space. However, the structure's occupation across a substantial proportion of the extended, albeit downwards, rear elevation would result in a disproportionately large addition to the host property which would detract from the special architectural interest of the heritage asset. The continued ability to have sight of and appreciate the architectural features of the listed building's rear elevation, as is currently possible through the existing conservatory, would be a neutral effect of the proposal.

12. Despite its designation as a listed building, neither the Act nor the National Planning Policy Framework (the Framework) preclude any change or alteration to the appeal site, provided the heritage asset is conserved in a manner appropriate to its significance. However, listed buildings are safeguarded for their inherent architectural and historic interest, irrespective of the availability of public views of it. Therefore, although the proposal would be obscured by the existing property and high perimeter walls from the street, this does not make harmful development or works acceptable. In any event, the rear of the listed building is experienced from within the garden area as well as from some neighbouring properties, including the occupiers of the upper floors of the listed building.
13. Internally, the removal of some sections of wall, including the chimney breasts, would alter the definition between the main floor plan of the property and its narrow side bay, weakening the hierarchical status of spaces therein. Even if I were to conclude that the fabric itself makes little contribution to the special architectural interest of the listed building, this is not the case in respect to the floor plan. Whether the infilling of some of the walls in the existing basement would reinstate parts of the historic layout, this has not been fully substantiated. Furthermore, the totality of the internal works would not amount to minor alterations, even if some elements of the appeal scheme, such as the downwards extension of the front lightwell, would preserve the special interest of the listed building.
14. While not decisive in my decision, the relocation of the basement apartment's entrance door to the front elevation would challenge the appearance of the property as a one household home which, in turn, would dilute its appreciation as a grand, detached villa. These are characteristics which I have found to contribute to the listed building's special historic interest.
15. Across the SJWCA, while the use of stucco is commonplace, alongside stock brick, a variety of built form typologies, architectural styles and vernaculars is evident, with no single design or standard apparent. In the case of the development surrounding the appeal site, the neighbouring built form includes a four-storey brick art deco style building on higher ground at the rear and a six-storey apartment block with feature curved cream rendered façade adjacent. These tall, large footprint forms do dominate some of the views and vistas within and into the SJWCA. However, the wide streets and set back siting of the buildings, including the listed building and the short row of dwellings of a similar scale and form connected to it, maintain the spaciousness to the street scene created by the predominantly formal, gridded layout of streets.
16. This layout, often softened by substantial trees within the movement corridor or in front gardens, underpins the principles of an Arcadian suburbia and is a cohesive

characteristic of the SJWCA which contributes to its significance as a whole, despite the variety highlighted above. Many of these characteristics are also evident along Wellington Road, including the appeal site, thereby positively contributing to the significance of the SJWCA.

17. In contrast, the closer relationship of the built form at the rear of the appeal site does result in a strong enclosure to the basement garden. This is accentuated by the scale, massing and differing ground levels of the adjacent buildings and the high boundary walls to the basement garden. Although the proposal would maintain the prevailing pattern of development, the unbalancing effect of the additional basement level on the listed building's grand appearance would be detrimental to the character and appearance of this part of the SJWCA.
18. Consequently, the proposal would not preserve the Grade II listed building, nor the SJWCA, in conflict with policies 38, 39, 40 and 45 of the City Plan insofar as they require development to contribute positively to Westminster's townscape and streetscape. The proposal also fails to satisfy the requirements of the Act. The level of harm in this case would be less than substantial. Taking into account the proposal's unbalancing effect on the appreciation of the hierarchy of the listed building, externally and internally, the magnitude of this harm would be between the mid to high end of the less than substantial scale. In regard to the SJWCA, the magnitude would be low, due to the preservation of the prevailing pattern of development within it and the minimal external alterations proposed. In these circumstances the Framework states that harm to or loss of the significance of a designated heritage asset requires clear and convincing justification and should be weighed against the public benefits which would be derived from it, including securing its optimum viable use, where appropriate.
19. Social and economic benefits would be derived from the appeal scheme, including from the construction of the proposals, the increase in the amount of floorspace and the number of bedrooms provided. This would, in turn, improve the local housing stock by providing a dwelling able to support larger household types. The scale of these predominantly private benefits, including any improvement to the living conditions of existing occupiers of the appeal property, is, however, small. As such I attribute a correspondingly small amount of weight to them in my decision. Environmental benefits which would also be derived, such as a reduction in the carbon footprint, would be of a similar scale.
20. Therefore, the totality of the benefits outlined above do not outweigh the level of harm identified to the heritage assets. Additionally, the continued residential use of the appeal site is not dependent upon the appeal scheme. As such, clear and convincing justification for the less than substantial harm I have identified above has not been demonstrated. The proposal would fail to preserve the special interest of the Grade II listed building and the significance of the SJWCA. This carries considerable importance and weight, consistent with the statutory duty in the Act and reiterated within the Framework.
21. Consequently, I conclude that the proposal would not preserve the Grade II listed building of 26 Wellington Road, or its setting, or any of the features of special architectural or historic interest that it possesses. Nor would it preserve or enhance the character or appearance of the SJWCA.

Other Matters

22. My attention has been drawn to approved schemes at Park Crescent and the adjacent, now constructed, six-storey apartment building. Notwithstanding the limited substantive evidence before me regarding these developments, both comprise new dwellings, rather than extensions to or expansions of an existing property, as in this case. Therefore, the public benefits derived from the construction and occupation of these additional dwellings would be of a greater scale than those identified above, with a commensurate level of weight attributed to them. As such, these developments are materially different to the scheme before me. Other modifications or alterations to the built form nearby, including those which the appellant considers to be unsympathetic, do not provide favourable support to allowing further unacceptable proposals.

Conclusion

23. For the reasons given above and having regard to all relevant matters raised, I conclude that both appeals should be dismissed.

Juliet Rogers

INSPECTOR