



Appeal Decision

Site visit made on 30 April 2026

by **F Cullen BA(Hons) MSc DipTP MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 5th June 2026

Appeal Ref: APP/X5990/W/25/3376433

Warwick House, Stable Yard Road, City of Westminster, London SW1A 1BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by Mr James Bell, MSMR Architects against the decision of the City of Westminster Council.
- The application Ref: 25/05754/ADFULL sought approval of details pursuant to condition No 11 of planning permission Ref: 22/06738/FULL granted on 12 May 2023.
- The application was refused by notice dated 8 September 2025.
- The development proposed is 'Alteration to windows and doors, restoration of front porch, removal of chimneystack, extension on 4th and 5th floors at roof level (change of pitch to consented 5th floor/ new mansard roof), and extension within lightwell, reinstatement of balustrading to terrace and planting bed and replacement of back stair and lift, replacement of roof finishes/introduction of insulation layer, omission of existing chimney, new external lighting, security equipment, and new air condensers.'
- The details for which approval is sought are 'Detailed drawings showing the following alteration to the scheme - details showing the number, design (including dimensions) and final positions for the proposed external lighting pursuant to Condition 11 of planning permission dated 12 May 2023 (RN: 22/06738/FULL).'

Decision

1. The appeal is allowed and the detailed drawings showing the following alteration to the scheme - details showing the number, design (including dimensions) and final positions for the proposed external lighting pursuant to Condition 11 of planning permission RN: 22/06738/FULL, granted on 12 May 2023 in accordance with the application Ref: 25/05754/ADFULL dated 15 August 2025, and the plans, 8610; 8615; 8616; 8617; 8618; 8619A; and Lighting Specification details Ref: 5224-LS-01, Rev L, submitted with it are approved.

Preliminary Matters

2. During the determination of the appeal, Westminster City Council adopted the City Plan Partial Review / City Plan 2019-2040 on 21 January 2026 (the City Plan 2026). The Council confirmed that, of the policies cited in its Decision Notice, no amendments have been made to the wording of the policies, only their numbers have changed¹. Policies 38, 39 and 40 are now Policies 42, 44 and 45 respectively. I am satisfied no prejudice would arise from me taking the relevant policies of the City Plan 2026 into account in my determination of the appeal, and have proceeded on this basis.

¹ Via email dated 29 April 2026.

3. At the time of my site visit the building was undergoing refurbishment. However, I was able to access and view all areas relevant to the appeal.
4. The appeal property is a listed building which is located within a conservation area. In determining the appeal I have exercised my statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Background and Main Issue

5. The appeal² is seeking approval for the submitted details. As decision maker I am required to determine whether they address the requirements of the condition.
6. The appeal follows the refusal of an application for the approval of details required by Condition 11 attached to the original planning permission³, by reason that the number, locations and detailed design / specifications of the external lighting (particularly recessed and LED strips) would harm the appearance and thereby significance of the Grade II listed building and fail to maintain or improve (preserve or enhance) the character and appearance of the St James's Conservation Area.
7. Having regard to the above, the main issue is, whether the details submitted in respect of lighting meet the requirements of Condition 11 and demonstrate that the proposed development would preserve the special interest of the Grade II listed building known as Warwick House, and preserve or enhance the character or appearance of the St James's Conservation Area.

Reasons

8. The National Planning Practice Guidance (the PPG) states that conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects⁴. It is therefore vital that the details submitted relevant to any condition imposed meet its requirements.
9. The requirements of Condition 11 are defined by its wording which is quite specific. It requires *detailed drawings showing the following alteration to the scheme - details showing the number, design (including dimensions) and final positions for the proposed external lighting (note 16)⁵ at lower ground floor level, including specification sheets for each unit type*.
10. As part of the application / appeal, the appellant has provided all of these details. Therefore, in purely procedural terms, the requirements of Condition 11 appear to have been met. However, having regard to the 'reason' for the imposition of Condition 11, I also need to consider whether the submitted details are acceptable in planning / heritage terms.

Special interest and significance

11. Warwick House, a Grade II listed building⁶, occupies a prominent position within Stable Yard on the outskirts of Green Park. It is a large town house dating from 1770-71, designed by Sir William Chambers, with 19th century extensions and alterations.

² Made under section 78(1)(b) of the Town and Country Planning Act 1990 (as amended).

³ Planning permission Ref: 22/06738/FULL granted on 12 May 2023.

⁴ Paragraph: 001 Reference ID: 21a-001-20140306.

⁵ Note 6 in the Decision Notice.

⁶ National Heritage List for England. List Entry Number: 1236545.

12. Relevant to the appeal, the lower ground floor level includes perimeter walls, stairs, lightwells and an undercroft⁷. Historically, these routes and spaces would likely have been a secondary service area, which is characterised by their plain and utilitarian form and appearance. At the time of my site visit these features were formed of exposed concrete or exposed brick, sections of which were finished in cement render.
13. From the evidence before me, the building's special interest and significance are mainly derived from its historic and architectural interests in exemplifying a grand Georgian townhouse which has evolved over time. Of these and pertinent to the appeal are, the building's surviving historic fabric, including extant features of interest; and the legibility of the architectural and functional hierarchy of the floors and spaces within it.
14. Warwick House is also located within the St James's Conservation Area (the CA), which the Conservation Area Audit (the Audit) confirms is a 'distinct district in the City of Westminster'⁸. Bordered by Piccadilly, The Mall, Green Park and Trafalgar Square, the CA encapsulates historic streets, buildings and spaces around St James's Square. Characteristics highlighted within the Audit and of relevance to the appeal, are the variety and number of listed buildings in a range of uses, including those of note from the 18th and early 19th centuries.
15. Warwick House is an integral and prominent component of the townscape in the CA. By reason of its age, style and phased evolution, it displays traits which underpin and positively contribute to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.

Effects

16. The proposed light fittings at lower ground floor level include traditional wall-mounted lanterns; recessed wall units; recessed step / tread units; and LED strip lighting within the undercroft.
17. The Council raises no objections to the principle of the installation of traditional wall-mounted lanterns and I have no reason to take a different view. Bearing in mind the proposed placements of the lanterns as well as their traditional form and design, I find that their installation would preserve both the special interest of Warwick House and the character and appearance of the CA; and not harm the significance of these designated heritage assets.
18. The Council's concerns in heritage terms are focused on the proposed recessed wall units; recessed step / tread units; and LED strip lighting within the undercroft.
19. The proposed recessed wall units and recessed step / tread units are contemporary light fittings of a modest size with no metal trim. They would be placed at the base of the perimeter walls or adjacent to steps / treads of the stairs, within the consented rendered wall finish. They would be of a colour to match the render and have an asymmetrical downward splay in terms of light emission.
20. As such, whilst there are a high number of light fittings proposed, their installation would not involve the loss of historic fabric, and they would appear as an honest,

⁷ Also referred to as a 'tunnel' by the appellant.

⁸ St James's Conservation Area Audit Supplementary Planning Guidance.

minimalist intervention, providing light within key routes and spaces at this lower level, including for emergency purposes.

21. Even if some historic fabric would be lost as a result of their installation, this would be negligible relative to the size of the asset as a whole, and from a floor / space that is of lesser heritage merit than the principal floors above. Moreover, given their modest size, minimalist form and proposed method of installation, it is reasonable to conclude that they would be easily reversible.
22. The proposed LED strip lighting within the undercroft would be an undeniably modern lighting system, and would be concealed by a mock decorative cornice. However, due to the LED strip's minimal height and width, simple form and the limited upward light it would project, in conjunction with the modest size of the cornice, this element would not be unduly prominent nor materially detract from the intrinsic utilitarian character of this route / space.
23. Taken together, the proposed recessed units and LED strip lighting would not disrupt nor diminish the architectural and functional hierarchy of the floors and spaces within the building. The historic secondary character and service use of these routes / spaces within the lower ground floor level would remain legible. In these respects, I find that the proposed lighting, as detailed, would preserve the listed building's special interest and not harm its significance.
24. Warwick House occupies a prominent position within the CA, immediately adjacent to public routes and the open space of Green Park. The proposed lighting may lead to an increase in the light emanating from the site at periods of dusk / darkness. However, given the general low or undercroft placement of the units and strips at lower ground floor level, combined with their asymmetric downward splay or enclosed upward projection, I am satisfied that any increase would be minimal and not overtly appreciable given the building's use and wider context. On this basis, and having regard to the identified positive traits of the CA which underpin its special interest, I am of the opinion that the CA's character and appearance as a whole would be preserved and its significance not harmed.

Conclusion

25. Overall and specific to the appeal building, its context and the details before me, I find that the details submitted in respect of lighting meet the requirements of Condition 11 and demonstrate that the proposed development would preserve the special interest of the Grade II listed building known as Warwick House, and preserve the character and appearance of the St James's Conservation Area. Their significance as designated heritage assets would therefore not be harmed.
26. As such, the details comply with Policies 42, 44 and 45 of the City Plan 2026 which together and amongst other things require development / works to, incorporate exemplary standards of high quality, sustainable and inclusive urban design and architecture; ensure heritage assets and their settings are conserved and enhanced in a manner appropriate to their significance; preserve the special interest of listed buildings; preserve or enhance the character and appearance of Westminster's conservation areas; and be sensitively designed, respecting the character of the existing building.

Other Matters

27. Condition 11 also includes reference to a related Informative Note⁹. This states *Any future application for external lighting should include a greater level of detail with regard to the positions, number, type and dimensions of light fixture proposed and at least indicative details of any associated service routes and demonstrate compliance with City Plan policy 33(B) para 33.3.*
28. The submitted details do not include 'indicative details of any associated service routes nor demonstrate compliance with City Plan policy 33(B) para 33.3'¹⁰. However, the PPG is clear that Informative notes allow the local planning authority to draw an applicant's attention to other relevant matters....Informative notes do not carry any legal weight and cannot be used in lieu of planning conditions or a legal obligation to try and ensure adequate means of control for planning purposes¹¹.
29. Whilst I have had regard to the informative note as contextual guidance, it cannot extend the scope of the condition. As such, a failure to strictly accord with an informative note cannot, on its own, justify a finding that the condition has not been satisfied. The submitted details are sufficient to understand and assess the effects of the proposed lighting. A lack of the information cited above is not determinative and does not change my conclusions on the main issue.
30. The appellant cites unreasonable behaviour on the part of the Council in refusing the submission of details pursuant to Condition 11 of Planning Permission Ref: 22/06738/FULL, given that the same details pursuant to Condition 10 of the associated Listed Building Consent Ref: 22/06739/LBC were granted approval by the Council on 1 August 2025¹². However, this matter is not within the scope of the considerations before me as part of this appeal.

Conclusion

31. For the reasons given above, the appeal should be allowed.

F Cullen

INSPECTOR

⁹ Referenced as note 16 in Condition 11 but is note 6 in the Decision Notice.

¹⁰ Or its City Plan 2026 equivalent.

¹¹ National Planning Practice Guidance: Paragraph: 026 Reference ID: 21a-026-20140306.

¹² Application Ref: 25/05021/ADLBC.