
Appeal Decisions

Site visit made on 24 June 2026

by Ann Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2026

Appeal A Ref: APP/X5990/W/25/3375654

Flat F, 104 St George's Square, London SW1V 3QY

- 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 Jack Parker against the decision of City of Westminster Council.
 - The application Ref is 25/00579/FULL.
 - The development proposed is rear extension over the outrigger to 4th floor flat.
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Appeal B Ref: APP/X5990/Y/25/3375761

Flat F, 104 St George's Square, London SW1V 3QY

- 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 Jack Parker against the decision of City of Westminster Council.
 - The application Ref is 25/00361/LBC.
 - The works proposed are rear extension over the outrigger to 4th floor flat.
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Decisions

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

Applications for costs

3. An application for costs was made by Mr Jack Parker against City of Westminster Council. This application is the subject of a separate decision.

Preliminary Matters

4. The appeals concern the same site and the same scheme. Although the remit of planning permission (Appeal A) and listed building consent (Appeal B) regimes are different, to reduce repetition, I have dealt with both appeals together in a single decision letter.
5. The description of development / works in the banner headings above has been taken from the application forms. However, in Part E of the appeal forms it is stated that the description of development / works has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development / works has been agreed. Accordingly, I have used the ones given on the original applications.
6. Following the determination of the applications, during the appeals, the Council adopted the Westminster City Plan 2019-2040, January 2026 (WCP) which supersedes the City Plan 2019–2040, April 2021. The Council, in its Statement of

Case has confirmed that policies 7, 33, 42, 44 and 45 of the WCP are now relevant rather than policies referred to in the decision notice. The main parties have been given the opportunity to comment on the implications of this change for the appeals. I have had regard to any responses received and my decisions are made in the context of the WCP which is afforded full weight.

7. In responding to the new policies of the WCP, the appellant also provided additional information, including photographs of surrounding properties, historic plans and a condition report of 104 St George's Square¹, which did not accompany the original applications. Having regard to the principles established by the Courts in this matter², the additional information provides further evidence in relation to the Council's reason for refusal, rather than a fundamental change to the applications. Consequently, I find that the documents present no substantive or procedural concerns and no interested parties would be prejudiced by my taking the information into account in the determination of the appeal.
8. The appellant requested that I view the part of the building upon which the proposal would be constructed from within the rear-facing bedroom windows of the third floor flat (Flat E) and I was able to do so at my site visit.
9. The appeal site is in a conservation area and comprises part of a listed building, I have therefore had regard to the statutory duties under sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

10. The main issues in both appeals are whether the proposed development and works (the proposal) would preserve the Grade II listed building known as 76-108, St George's Square SW1³ or any features of special architectural or historic interest which it possesses; and preserve or enhance the character or appearance of the Pimlico Conservation Area (PCA).

Reasons

Special interest and significance

11. The appeal site (Flat F) is a fourth floor flat in 104 St George's Square (No 104), a four-storey plus attic and basement property that forms part of a Grade II listed terrace, 76-108, St George's Square (even) (the listed building). Dating from the mid-19th century and listed in 1987, the listed building is an integral component of the St George's Square layout, a fine architectural set piece with town houses laid out around a centrally designed garden. The listed building forms part of the western side of the Square.
12. Constructed in the Classical style with a uniformly coloured stucco front and Doric porches, the principal facade of the listed building presents a formal, harmonious and aesthetically pleasing frontage. In contrast, the mostly exposed brick rear elevations of the properties, although imposing, are architecturally more restrained and utilitarian. Moreover, various extensions and/or alterations to the closet wings, particularly at lower floor levels, along with infill extensions have eroded to a

¹ Acre Building Consultants Ltd, Expert Witness Report, dated 17 March 2026.

² *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 and *Wheatcroft (Bernard) Ltd v Secretary of State for the Environment* [1982] JPL 37

³ National Heritage List for England, List Entry Number: 1235631

degree the homogeneity and coherence of the rear elevation of the listed building as a whole.

13. From the evidence before me, and insofar as relevant to the appeals, the special interest and significance of the listed building largely stem from its historic and architectural interests. Its historic interest is primarily related to the building's age and surviving historic fabric as well as its illustration of mid-19th century domestic architecture and associated social history. While its architectural interest lies mainly in its elegant and well-proportioned Classical form. From the information before me, where they survive largely intact, the rear closet wing projections reflect the buildings' historic plan form and the hierarchy of their interiors. There is also heritage value in the listed building as a group and the contribution it makes to the attractive composition of the wider planned townscape.
14. The appeal site is located within the PCA. This includes a combination of grand squares and residential terraces that show a full range of Classical details along with small mews terraces and parades of shops. Evidence indicates that the PCA centres on the planned Thomas Cubitt estate dating mainly from the mid-19th century and surrounded by post-war development. The impressive scale and grandeur of the buildings, combined with the cohesive design of the principal façades, consistent use of materials, and the attractive green spaces between them, are key positive characteristics of the PCA. In addition, despite their often concealed nature, the contrastingly plain and functional secondary rear elevations also make a notable contribution to the character of the PCA, albeit to a lesser extent. The heritage merit of the listed building contributes positively to the character and appearance of the PCA as a whole and thereby to its significance as a designated heritage asset.

Proposals and effects

15. It is proposed to upwardly extend the existing four-storey rear closet wing by one storey which would provide additional space within a bedroom at Flat F. From the appeal submissions and my observations on site, it appears that, across the rear elevation of the listed building, which sits at the southern end of the wider terrace, and 56-70 St George's Square (even) (Nos 56-70) at the northern end, shallow closet wings are key features of special architectural and historic interest.
16. The proposal would be constructed in London stock brick and would have the similar flat roof, brick parapet and stone coping design and fenestration arrangement as currently exists on the third floor closet wing. However, the predominant height of the closet wings of the listed building are no higher than the third floor. This represents a clear pattern to the appearance of the listed building and means that, across its rear elevation, rear-facing fourth floor windows are clearly visible.
17. The proposal would mask this element of No 104 and due to the increased height of the closet wing and the additional built form, it would alter the character of the rear elevation of the listed building as a whole. Whilst the proposal would replicate the floors below, it would nonetheless disrupt the building's hierarchy and balanced architectural detailing, particularly it would jar with the closet wing at 106 St George's Square, which would be much lower. This would cause harm to the special interest and significance of the listed building.

18. The proposal would also result in the removal of historic fabric in the rear elevation of No 104. Even if the brickwork and window at fourth floor were re-used within the proposed extension, the historic fabric of a listed building is the primary source from which knowledge and meaning can be drawn. Once it has been removed, the intrinsic heritage interests and significance of that part of the structure are essentially lost. Moreover, the enlargement of the room would disrupt the hierarchy of space within the building, elevating the importance and use of the top floor, thus diminishing the building's historic layout, despite being of a diminutive nature. As such, I am not satisfied that the proposal would conserve the listed building in a manner appropriate to its significance.
19. I acknowledge that the full height closet wing at 108 St George's Square (No 108) is anomalous to the listed building as a whole, but given it forms the end property and fronts both St Georges Square and Grosvenor Road, its historic form differs in any event, from the rest of the listed terrace. I am also aware from the evidence and from what I saw, that there have been incremental adaptations, alterations and additions to the lower floors of the listed building at the rear, including at No 104. Full height closet wings are also visible at Nos 56-70, which forms the northern end of the wider terrace within which the listed building sits. It is unclear from the evidence before me whether or not these changes pre-date existing planning controls or the appeal building's listing.
20. Nevertheless, the reconstructed 72-74 St George's Square forms an architectural break between the listed building and Nos 56-70 and, with the exception of the end property, No 108, there are no other full height closet wings to any other property forming part of the listed building. Therefore, while there are other full height closet wings in the wider row and at the rear of the terrace across St George's Square Gardens, as well as roof additions and alterations, the prevailing pattern in the listed building is that closet wings do not rise above the penultimate storey.
21. I am mindful of advice within the Pimlico Neighbourhood Plan, made December 2022⁴ and the Pimlico Design Guide, March 1992⁵ (PDG) that some additional rear extensions to buildings in the PCA may be acceptable. My attention has also been drawn by the appellant to paragraph 125(e) of the National Planning Policy Framework (the Framework) in relation to the effective use of land. In essence, this paragraph provides support for the use of airspace above existing residential premises in meeting the need for new homes through, amongst other things, upward extensions. Regardless of whether a new home or an enlarged home would be created, as is the case in this appeal, paragraph 125(e) comes with a caveat. That is that the proposal should be 'consistent with the prevailing form of neighbouring properties and the overall street scene'.
22. Even if the listed building was not historically designed as a single entity, I find that the proposal would not follow the listed building's clear pattern of development because built form would rise above the penultimate storey where the prevailing form of this listed building, which includes the neighbouring properties, is that closet wings do not.
23. I note the appellant's reference to the distinction made between the wording of 'prevailing form' in paragraph 125(e) of the current Framework with 'prevailing height' in an earlier version of the Framework. I also recognise there is some

⁴ Paragraph 22

⁵ Paragraph 12.2.2

variation to the appearance of the rear elevation insofar as it relates to individual properties within the wider terrace. Nonetheless, as set out above, I find the prevailing form of the closet wings of the listed building above first floor level to comprise built form that is largely half the width of an individual property, shallow in depth and does not extend to the full height of the rear elevation. The proposal would not be consistent with this prevailing form and would therefore conflict with the above advice. The fact that an example of a full height closet wing is provided in the PDG and that there are other full height closet wings in the PCA, even at the northern end of the terrace, is not a sufficient justification for further cumulative harm to the overall appearance of the listed building.

24. In reaching this view, I have had regard to the recent permissions for the erection of a mansard roof extension with roof terrace and raising of chimneys in connection with enlargement of top floor flat at the appeal site⁶. Although these permissions have not been implemented, they remain extant. I accept that if they are implemented, the appearance of the listed building would be altered, and the proposed extension would be no higher than the penultimate floor. Be that as it may, an important element of the listed buildings' significance, that being the scale and form of the closet wings, would still be adversely harmed. Previously approved extensions to a building, whether implemented or not, do not in themselves justify further extensions, particularly in respect of listed buildings. Furthermore, listed buildings are safeguarded for their inherent architectural and historic interest, irrespective of whether public views of the building can be gained.
25. In this regard, although the harmful effects of the proposal would be visible from the private domain of residential units within Dolphin Square that face the rear elevation of the listed building and the access road at Dolphin Square East Side, they would not be readily visible from the public domain other than through a gap along Grosvenor Road. Alterations and additions to the rear of historic buildings in the PCA are also relatively common. This limits the degree of harm that the proposal would incur to the special interest of the PCA. Nevertheless, given the key contribution that the listed building makes to the positive characteristics of the PCA, its incremental and harmful alteration due to the proposal, would also weaken the character and appearance of the PCA as a whole, albeit very modestly.
26. Drawing the above together, the proposal would fail to preserve the special interest of the Grade II listed building and would fail to preserve or enhance the character of the PCA. As a result, the expectations of the Act have not been met, and the proposal would harm the significance of these designated heritage assets.

Heritage and Planning Balance

27. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Any harm should require clear and convincing justification, and the magnitude of any harm should be assessed. Planning Policy Guidance requires the category of harm to be explicitly identified and the extent of harm within that category to be articulated⁷. Given the extent and nature of the proposal, I find that the harm in this instance would be between low and moderate on the scale of 'less than substantial' in relation to the listed building

⁶ Westminster City Council refs: 24/02086/FULL and 24/02408/LBC

⁷ Paragraph: 018 Reference ID: 18a-018-20190723

and at the very low end of 'less than substantial' in relation to the PCA. Nevertheless, this is still of considerable importance and weight.

28. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
29. Economic benefits would arise while the proposal was being carried out, although given its scale, this public benefit would carry limited positive weight.
30. There would be social benefits from improvements to the housing stock and for occupiers from a more modern and extended property. These public benefits are in line with the objectives of the Framework and would flow to the wider community, which attracts weight in favour of the appeal. The increase in floorspace to the bedroom would be small and therefore the contribution towards family-sized accommodation would be equally small. There is also little information before me to substantiate the claim that the existing bedroom is under-sized. Nonetheless, I acknowledge the shortage of family-sized accommodation in Pimlico referred to in the evidence and that even a small increase in bedroom floorspace could accommodate an additional person. I attribute this benefit moderate positive weight.
31. Heritage and environmental benefits would accrue from adaption/retrofit of a listed building and repair works to the listed building which intend to improve the longevity of the historic fabric. The overall scale of the above benefits that would flow to the public at large would be moderated by the extent of the proposal and lack of detail surrounding the repair works. Furthermore, it has not been robustly demonstrated that such works would be dependent upon the proposal. The weight these benefits attract together is therefore limited. Moreover, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
32. I find, in all the respects outlined above, clear and convincing justification for the harm to the significance of the designated assets arising from the proposal has not been provided. Overall, the weight that I ascribe to the public benefits which would accrue from the proposal is not sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage assets.
33. I therefore conclude that the proposal would fail to preserve the special interest and significance of the Grade II listed building, known as known as 76-108, St George's Square SW1, or its setting or any features of special architectural or historic interest which it possesses. It would also fail to preserve or enhance the character or appearance of the PCA as a whole.
34. As such, it would fail to satisfy the requirements of the Act and would be contrary to Policies 7, 42, 44, and 45 of the WCP. Together, these policies, amongst other things, require that all development responds to and positively contributes to Westminster's townscape and streetscape; preserves or enhances the character and appearance of Westminster's conservation areas; that heritage assets and their settings are conserved and enhanced in a manner appropriate to their significance; and that development is sensitively designed having regard to the prevailing scale, heights, character, building lines, plot widths, materials,

architectural quality and degree of uniformity in the surrounding streetscape. There would also be conflict with the provisions of the Framework which seek to conserve and enhance the historic environment.

35. The Council refer to Policy 33 of the WCP in their Statement of Case. This policy is concerned with facilities for freight and servicing and is not relevant to this appeal.

Other Matters

36. In relation to Appeal A, evidence indicates that the site lies in proximity to several listed buildings, including Nos 56-70. From the limited information presented and my observations on site, the special interest and significance of the listed buildings primarily stem from their historic and/or architectural interest. However, they are also derived, in part, from their respective domestic and wider townscape settings. Given the location and extent of the proposal in relation to these listed buildings, I find that the settings of these assets would be preserved and their significance would not be harmed. This would meet the statutory presumptions set out in section 66(1) of the Act and the provisions in the Framework regarding the conservation and enhancement of the historic environment. I also note that the Council did not consider any effects in these regards sufficiently harmful to justify a reason for refusal on this basis.
37. The appeal site is directly adjacent to the Dolphin Square Conservation Area (DSCA). Mindful that the reason for refusal makes no reference to the effect of the proposal on the setting of the DSCA and since there is no statutory protection for the setting of a conservation area and I am dismissing the appeal for other reasons, I have not considered this matter further as it would not change the outcome of the appeal.
38. The proposal would not affect the principal façade of the listed building and even if I were to agree that there would be no harmful effect upon the living conditions of neighbouring residents, these are neutral factors rather than ones that carry positive weight in favour of the proposal.
39. Other examples of full-height closet wings in the surrounding area have been put to me⁸. Whilst consistency of decision making is important, I cannot be certain that the baseline for assessing all the above schemes is the same. I have not been provided with the full details that were available to the decision-maker when making these decisions. Given the dates provided, there are material differences in the policy considerations at the time of some of the above examples being approved, and differences in the detailed design of the approved schemes when compared with the proposals now before me. Moreover, it is not clear whether the examples put forward concern listed buildings.
40. Therefore, while there are comparable elements in some of the examples, they would have had different existing character and appearance, and/or special interest, as well as factors to weigh in the balance. They are, therefore, materially different to the scheme before me. The fact that apparently similar development has been granted permission is not a reason, on its own, to allow unacceptable

⁸ Gloucester Road, Appeal Ref: APP/K5600/W/23/3329256; Chesterton Road, Appeal Ref: APP/K5600/W/23/3329833; 31 Charlwood Street, Appeal ref: APP/X5990/W/22/3293786; Sussex Street, Appeal reference: APP/X5990/D/20/3247628; 64 St George's Square, LPA Ref: 17/09403/FULL; 70 St George's Square, LPA Ref: 20/04725/FULL; 87 St George's Square, LPA Ref: 91/01584/FULL;

development and works. I have considered the appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

41. I note support for the proposal from neighbouring residents. Nonetheless, this is a neutral consideration and does not alter my conclusion on the main issue.
42. I also note the appellant's comments about the Council's handling of the applications. However, this has had no bearing on the outcome of these appeals as I have only had regard to the planning merits of the proposal that is before me.

Conclusions

43. **Appeal A:** The proposal would conflict with the development plan. There are no material considerations that indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.
44. **Appeal B:** For the above reasons and having regard to all matters raised I conclude that Appeal B should be dismissed.

Ann Veevers

INSPECTOR