Planning Inspectorate

Appeal Decision

Site visit made on 4 November 2026

by A A Phillips BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2026

Appeal Ref: APP/X5990/F/25/3376777
33 Leinster Gardens, London W2 3AN

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the Act).
- The appeal is made by Mr Mukarram Syed of Crest Commercial Limited against a listed building enforcement notice (LBEN) issued by Westminster City Council.
- The enforcement notice was issued on 19 November 2025.
- The contravention of listed building control alleged in the notice is the erection of a triangular shaped extension at first floor level to the rear of the Property, adjacent to the existing back addition and lift extension as shown in Photograph A, the formation of an opening between the existing communal landing and the extension and the installation of a metal door, as shown in Photograph B ("the Unauthorised Works").
- The requirements of the notices are to:
  1) Remove the unauthorised extension at first floor level to the rear of the Property, as outlined in red in Photograph A, attached; and
  2) Remove the internal door linking the communal landing to the unauthorised extension, as outlined in red in Photograph B, attached; and
  3) Following completion of steps 1) and 2) restore the Property to its condition prior to the Unauthorised Works being undertaken, as shown in Drawing no. LON98/05 P2, using materials and detailing to match the finish of the original Property, including repainting the blocked-in area of the former entrance door to match the existing building's external and internal elevations;
  4) Following completion of steps 1) – 3), remove any associated waste from the site.
- The period for compliance with the requirements is 12 months.
- The appeal is made on the ground set out in section 39(1)(g) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

Decision

1. The appeal is dismissed and the LBEN is upheld.

Preliminary Matter

2. During my site visit, I noted that the unauthorised extension had been removed and the property restored in accordance with Drawing No. LON98/05 P2. I also noted that the unauthorised internal door had been removed and replaced with a white-painted door.

The appeal on ground (g)

3. The appeal on ground (g) is that the requirements of the LBEN exceed what is necessary to restore the building to its former condition. In summary, the notice requires the unauthorised first-floor rear extension and associated internal door to be removed and the affected parts of the building to be restored using materials and detailing to match the original.

4. Although the relevant planning permission and listed building consent have since been implemented, there was no certainty when the LBEN was served that those consents would be implemented. The Council could not rely on those to secure the necessary restoration works.

5. The requirements of the LBEN go no further than necessary to restore the building to its condition before the unauthorised works were carried out. I therefore find that the requirements are not excessive and the appeal on ground (g) fails.

Conclusion

6. For the reasons given above and having regard to the evidence before me, I conclude that the appeal should be dismissed.

A A Phillips

INSPECTOR