
Appeal Decision

Site visit made on 24 September 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th October 2019

Appeal Ref: APP/X5990/D/19/3232947
16 Moreton Place, London SW1V 2NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Mark & Elizabeth Rothera against the decision of City of Westminster Council.
 - The application Ref 19/01924/FULL, dated 12 March 2018, was refused by notice dated 1 May 2019.
 - The development is described as 'retention of alterations to basement lightwell comprising alterations to window opening and replacement of roof covering with obscured glazing'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. There is no description of the appeal proposal on the application form so that above is taken from the appeal form, which is reflective of that on the decision notice of the Council.
3. The works have been carried out and I am satisfied that these broadly accord with the submitted drawings, I am considering the appeal on that basis.

Main Issue

4. The main issue is the effect of the appeal proposal on the character and appearance of the appeal property and conservation area.

Reasons

5. The appeal site sits within the Pimlico Conservation Area (the conservation area). As noted within the Pimlico Conservation Area Audit (2006) basement lightwells are an important architectural feature of many properties within the Conservation Area. This is the case in relation to the terrace within which the appeal property is situated where the basement lightwells, evident along the terrace, along with the form and detailing of the buildings are among the defining features of this part of the conservation area.
6. The basement lightwell has been enclosed with an obscured glass screen with the basement window altered below this feature. The evidence indicates that previously, a partly perspex covering was fitted to the lightwell.

7. The basement lightwells on the terrace allow the façade of the buildings below ground level to be visible from street level and while many of the other basement windows have undergone alterations over time to their design, width and height, their visibility from the street results in them forming a consistent and rhythmic feature within the street scene.
8. As a result, the obscure glass screen appears at odds with the appearance of the wider terrace and forms a prominent, uncharacteristic and noticeable feature directly adjacent to the footpath.
9. While the appeal property retains an attractive sense of symmetry in its window alignment through the building, this was stronger prior to the works carried out in association with the appeal proposal. The alteration of the basement window in association with the installation of the screen has significantly disrupted the symmetry of the window arrangement on the front elevation.
10. The appeal proposal therefore detracts from the appearance of the host dwelling. Subsequently, it detracts from the heritage significance of the conservation area which lies in part with the basement lightwells and the form and detailing of the buildings.
11. The harm to the significance of the Conservation Area is less than substantial. Paragraph 196 of the National Planning Policy Framework requires such harm to be weighed against any public benefits of the proposal.
12. The benefits of this scheme would be limited to the provision of improved living space and additional light at the appeal property. However, any such benefit would primarily be a personal one for the appellant. Any environmental benefit in relation to heat retention is likely to be relatively limited in the context of the large property. Given the degree of harm I have found that would arise from the appeal scheme, which would be visible to many people and the statutory protection afforded to conservation areas, such benefits would not be sufficient to outweigh this harm.
13. Consequently, the appeal proposal fails to preserve the character and appearance of the conservation area and conflicts with saved Policies DES 1, DES 5 and DES 9 the Westminster Unitary Development Plan (2007) and Policies S25 and S28 of the Westminster City Plan (2016) which seek good quality design and the protection of heritage assets.

Other Matters

14. The evidence indicates that the lightwell was previously infilled with a different arrangement, however this is not a fallback position to which I can attribute significant weight given that the works associated with the appeal proposal have been carried out in their place. Further, I am not aware of all the circumstances of the previous approval which would have been determined against former planning policy.
15. The appellant has drawn my attention to other examples of instances where basements have been covered. However, none of these examples are on Moreton Place and therefore do not share the same context. I therefore afford these examples limited weight and they do not justify a planning permission in this instance. In any event, each case should be considered on its own merits.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR