



Appeal Decision

Site visit made on 31 August 2022 by S Wilson LLB MSc LRTPI

Decision by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2022

Appeal Ref: APP/K5600/D/22/3302534

44 Lamont Road, London, SW10 0JA

- 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 James Marks against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application Ref PP/22/01630, dated 7 March 2022, was refused by notice dated 4 May 2022.
 - The development proposed is partial infilling of the lower ground floor lightwell to the Shalcomb Street frontage of 44 Lamont Road.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Sloane Stanley Conservation Area.

Reasons for the Recommendation

4. 44 Lamont Road is a prominent, end of terrace, three storey over original basement dwellinghouse, located on the northeast corner of Lamont Road and Shalcomb Street. The principal elevation of the building faces Shalcomb Street and the secondary elevation faces Lamont Street. The original basement lightwell remains to both elevations with stairs down to the basement and cast-iron railing forming the boundaries.
5. The appeal site forms one of four similarly proportioned end-of-terrace buildings, in the immediate vicinity, at the four corners of the Lamont Road and Shalcomb Street intersection (nos. 43, 44, 45, and 46 Lamont Road). Each of the four properties have been designed as 'terrace ends' which turn the corner. This key design feature of the area is repeated at other intersections in the immediate area including Gertrude, Limerston, Hobury, Langton Streets and is identified within the Sloane Stanley Conservation Area Appraisal (SSCAA). This grouping of terraces is known locally as the ten-acres estate, an area that the SSCAA acknowledges as well maintained with most original features remaining. Indeed, it is notably well-preserved with its character intact.

6. The SSCAA identifies No 44 and its terrace grouping as making a positive contribution to the Sloane Stanley Conservation Area. The SSCAA also describes the most important feature of a terrace as its appearance as a single unit which is achieved by uniformity. It refers to the significance of basements, including their lightwells, to the history of the area and that the open areas and steps are key features of the Victorian terraces.
7. No 45 and No 46 Lamont Road have undertaken development that has infilled parts of their lightwells in unsympathetic materials. This has notably diminished their contribution to the Sloane Stanley Conservation Area. The lightwells to the basements at the appeal property and No 43 remain with their open appearance continuing to tie the Shalcomb Street elevations to the Lamont Road elevations together. Whilst the architecture links those facades in harmonious fashion, the presence of the lightwell at No 44 is also an important unifying feature. It therefore provides an excellent example of this key design theme, evident throughout the area, and contributes positively to the Sloane Stanley Conservation Area.
8. The appeal site is highly visible on the intersection, with the open lightwell on both elevations seen from the footway, despite some planting which does not wholly obscure it. In any event, landscaping is not permanent. The proposal would infill a small area of the lightwell to the left of the main access stairs and continue along the Shalcomb Street elevation. It would end before the Lamont Road elevation, leaving the lightwell on that elevation isolated, with no apparent access and with no apparent purpose. The lightwell to the Lamont Road elevation and the section on Shalcomb Street elevation with its steps could still be seen. However, the infilling of a majority of the lightwell along Shalcomb Street would disrupt the open appearance and continuity of the existing lightwell.
9. The lightwell is of modest width and is a subordinate part of the overall composition. Nevertheless, because of its repetition throughout the Sloane Stanley Conservation Area it is an important one. The appeal property is separated from the start of the terrace in Shalcomb Street to the north but the significance of the lightwell relates to its role within the 'matching' dwellings on these corners and the historical context it provides. Indeed, the proposal would interfere with the ability to read the Shalcomb Street elevation lightwell as part of the Lamont Road elevation lightwell and associate them with the Lamont Road terrace. In addition, it would be more difficult to understand that these two elevations are one dwelling forming a prominent feature of the terrace as its legibility would be marred. Overall, the infilling of the lightwell would undermine the uniformity of the terrace and so would detract from the significance of this heritage asset.
10. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas. The harm to the significance of the Sloane Stanley Conservation Area would be less than substantial in terms of the National Planning Policy Framework. Nevertheless, it is a matter of considerable importance and weight.
11. The proposal would create a recessed bin storage area to the left-hand side of the main access steps. However, there would appear to be other places available for this purpose. Whilst this may make the bins easier to move and

provide safer access/egress for the appellant, this is a public benefit of limited weight. The Heritage statement also refers to an expanded planting area to the right-hand side with some York stone paving. The suitability of the materials would not compensate for the loss of the lightwell and given the quality of the built form, further landscaping is not required. Therefore there are no discernible public benefits that would outweigh the harm identified.

Consequently, the proposal would fail to preserve or enhance the character or appearance of the Sloane Stanley Conservation Area.

12. Accordingly, the proposal fails to comply with Policies CL1, CL2, CL3, CL6, and CL9 of the Local Plan, insofar as they require development to be of high-quality design that preserves the character and appearance of the host property and preserve the Conservation Area. The proposed extension is contrary to the development plan and there are no other material considerations to outweigh this finding.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

David Smith

INSPECTOR