



Appeal Decision

Site visit made on 29 August 2023

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2023

Appeal Ref: APP/X5990/W/23/3316697

8 Basement, Clarendon Street, City of Westminster, London SW1V 4QT

- 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 Mrs Penelope Robins against the decision of Westminster City Council.
 - The application Ref 22/02403/FULL, dated 8 April 2022, was refused by notice dated 1 September 2022.
 - The development proposed is a roof structure, including two opening rooflights, enclosing front lightwell area.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the development, insofar as it describes development, from the Council's decision notice for the purpose of clarity.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the Pimlico Conservation Area and the host building, which is a non-designated heritage asset, and its impact on the significance of the heritage assets.

Reasons

4. The appeal site lies within the Pimlico Conservation Area, which covers a large area between the River Thames, Vauxhall Bridge Road and the railway line at Victoria. I have been provided with a copy of The Pimlico Conservation Area Audit 27 Supplementary Planning Guidance 2006 (The Conservation Area SPG), which describes how its special architectural and historic interest lies in the distinctive and coherent character of Cubitt squares and terraces from the mid-19th century. I consider its significance to lie in this distinctive townscape. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
5. Clarendon Street is a secondary frontage within a historic diagonal street pattern. The appeal site forms part of a terrace of varying designs above basements, with a mix of yellow stock brick and stucco, which are characteristic features of the area. The railed basement lightwells that are present on the street are also important architectural features within the locality. The appeal site therefore forms part of the character and appearance

of the Conservation Area and contributes towards its significance. The host dwelling is also identified locally as an unlisted building of merit. I consider its significance as a non-designated heritage asset to lie in the contribution it makes to local character and as a record of the original characteristics of Pimlico.

6. The Conservation Area SPG describes how the lightwells were originally designed to be open, allowing the building's façade below ground level to be visible from the street. On my site visit I noticed that a number of lightwells on Clarendon Street and in the surrounding area have been covered with structures of various designs and materials, some of which are similar to the appeal development. However, despite the presence of these unsympathetic alterations, the majority of lightwells remain open and the feature continues to contribute to the architectural distinctiveness of the Conservation Area.
7. The proposed development completely covers the lightwell, and therefore conceals the façade of the host building beneath the ground floor window level. It is prominent in the street scene due to its dark colour, and its raised profile which slopes towards the railings and pavement. The two rooflights sit proud from the main structure increasing its prominence further. The development does not alter the access to the building, but it does detract from the architectural features that have special historic interest and importance in the local area, which include open lightwells. I therefore find that the development neither preserves nor enhances the character or appearance of the Conservation Area and causes less than substantial harm to its significance. In coming to this judgement, I have had regard to the fact that the lightwell at the appeal site has previously been covered with an alternative material.
8. I attach great weight to the conservation of the Conservation Area and consider the harm to its significance to carry considerable weight and importance in my decision. Paragraph 202 of the National Planning Policy Framework (the Framework) specifies that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against its public benefits including, where appropriate, securing its optimum viable use. I am informed by the appellant that the development has resolved an issue with water ingress, although I have not been provided with many details about the specific nature of the issue and the importance of the roof structure to its resolution. This is a private benefit to the occupiers of the basement and there is limited evidence before me of it serving a wider public benefit. I therefore find the public benefits do not outweigh the harm that is caused to the significance of the Conservation Area.
9. The development also causes harm to the host building due to the changes to its character and appearance and the concealment of its façade beneath ground level. In my judgement, the benefits of the development do not outweigh the harm caused to the significance of the unlisted building of merit.
10. I conclude that the development harms the character and appearance of the host building, which is a non-designated heritage asset. It also fails to preserve or enhance the character or appearance of the Pimlico Conservation Area and causes less than substantial harm to its significance as a designated heritage asset. There are no public benefits arising from the development that outweigh this harm. The development is therefore contrary to policies 38, 39 and 40 of the City of Westminster City Plan 2021. Taken together, these policies seek

high quality design that conserves and enhances heritage assets and important architectural details including open lightwells.

Conclusion

11. The development fails to preserve or enhance the character or appearance of the Pimlico Conservation Area and would harm the character and appearance of the locally listed host building. It is therefore contrary to the development plan when read as a whole and there are no other material considerations before me that outweigh the harm I have identified. For the reasons given above I conclude that the appeal should be dismissed.

E Catcheside

INSPECTOR