



Appeal Decision

Site visit made on 18 June 2024

by G Rollings BA(Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2024

Appeal Ref: APP/X5990/W/24/3337678

20 Clifton Road, City Of Westminster, London W9 1ST

- 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 Gail's Ltd against the decision of City of Westminster Council.
 - The application Ref is 23/05606/FULL.
 - The development is the retrospective installation of decking over ground floor lightwell.
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Decision

1. The appeal is allowed and planning permission is granted for installation of decking over ground floor lightwell at 20 Clifton Road, London W9 1ST in accordance with the terms of the application, Ref 23/05606/FULL, subject to the following conditions:
 1. The development hereby permitted shall be carried out in accordance with drawing numbers: 1729-AD-1102; 1729-AD-1104; 1729-AD-3101.
 2. No additional structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be installed on the decking or enclosing fencing.

Preliminary Matters

2. The works have been carried out and are in place, and as such this appeal retrospectively considers the permission. The plans are an accurate reflection of what I observed on site.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the Maida Vale Conservation Area.

Reasons

4. The appeal site is a corner property with an outdoor decked area used for seating. The appeal plans indicate that this area was previously a lightwell for the basement level below, and that the subsequent decking has retained the open iron fencing surrounding the area.
5. The site is one of several within a parade of retail and commercial properties, some of which have lightwells and similar fencing in place, although the majority of properties have neither. In particular, the double-fronted commercial unit at 24-26 Clifton Road retains lightwells and fencing across its frontage. Of the other properties in the parade, only 34 Clifton Road retains some fencing similar to that on the appeal site.

6. The various treatments to the front of properties, and haphazard placement of the retained features, suggest that enclosed lightwells may once have been a common feature of properties in this parade. The Council notes that they are a traditional architectural feature and that they positively contribute to the street scene. However, in views along the street, the void areas created by lightwells at street level are not particularly obvious; more apparent are the iron fences that signify their locations, and such fencing exists around the area of the former lightwell on the appeal site. These fences punctuate the parade.
7. The character of the street is one in which lightwells are few, and whilst the retained fencing of several properties positively contributes to this character, the contribution made by the retained lightwells in this context is minor. Although the loss of the lightwell from the streetscape removes an original architectural feature from view, this is not out of keeping with the prevailing character of the area.
8. I therefore conclude that the development preserves the character and appearance of the conservation area. There is no conflict with the Council's *City Plan 2019-2040* (2021) Local Plan Policies 38, 39 and 40, which together require alterations to respect the character of the townscape and preserve or enhance the character and appearance of conservation areas, amongst other considerations.

Conditions

9. I have assessed the list of conditions proposed by the Council against the tests set out in the Planning Practice Guidance (PPG)¹. Condition 1 is included for the absence of doubt and in the interests of proper planning, and condition 2 is applied to preserve the character and appearance of the area. The Council also requested a condition restricting new work to the building, but as no further work is proposed in this instance, this has not been included.

Conclusion

10. There are no material considerations to indicate that I should decide otherwise in accordance with the development plan for the purposes of this appeal. For the reasons given above, the appeal is allowed.

G Rollings

INSPECTOR

¹ PPG reference ID: 21a-003-20190723; revision date: 23 07 2019.