
Appeal Decision

Site visit made on 17 August 2016

by **S J Lee BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th September 2016

Appeal Ref: APP/H5390/W/16/3151701

9 Wendell Road, Hammersmith and Fulham, London W12 9RS

- 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 Nick Marks against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2015/05714/FUL, dated 4 December 2015, was refused by notice dated 29 February 2016.
 - The development proposed is a single storey rear extension, addition of new window and doors to existing structure.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site is a yard at the end of 9 Wendell Road, which is understood to have been used as parking or amenity space for 9a Wendell Road, which is the upper floor flat. No 9 currently has a small yard of its own which is presently walled off from the appeal site. The site is outside but directly abuts the boundary of Ravenscourt and Starch Green Conservation Area. The site is bounded by a high wall and fence. The rear boundary also includes the wall of a garage which sits between 9 Wendell Road and 30 Bassein Park Road.
 4. Housing Policy 6 in the Council's Planning Guidance Supplementary Planning Document (SPD) states that permission will not normally be granted for development which extends by more than 3.5 metres from the rear wall or brings development within 4 metres of the boundary. The reasons given for this are to protect the limited open spaces between buildings and the associated contribution these make to local character. Both parties accept that the development would breach this guidance. While the amount of amenity space that would be attributed to No 9 would increase, the overall amount of space at the rear of the building would be reduced.
 5. When standing on the opposite side of the road and looking toward the site, there is a good sense of space and separation between the two rows of terraces, terminating at the other end of the row. From this location you can
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also see trees and shrubbery within and between the gardens which provides a pleasant element to the street scene and character of the area.

6. The appellant has argued that from the roadside the extension would appear as nothing more than a higher boundary wall and would not block any of the views between the two terraces. I acknowledge that, as it stands, the high wall means that the small amount of space the yard provides cannot be seen by passers-by. However, while the extension would not completely block all views between the terraces, it would reduce what is currently visible to a considerable extent and fundamentally alter the character of the space between the two terraces.
7. Irrespective of the existing height of the boundary wall or what the yard is currently used for, it is clear that the existing two storey rear projection represents the end of the building and that a gap exists between the rear of the property and the garage. This gap forms part of the character of the street. In combination with the garage, the extension would create a long unbroken expanse of development that would clearly fill this gap. As a result of the garage, the rear garden of No 30 is also already obviously truncated. The proposal would, therefore, leave only a narrow space on one side of the terraces as being clearly open.
8. The height, bulk and depth of the development would, therefore, significantly reduce the sense of openness that currently exists. The appellant has suggested that the SPD would be more relevant to mid-terrace plots, but I do not agree with this conclusion. The effect of reducing space and separation between the rows of dwellings, and the resulting detrimental impact on the character of the street, would be at its most prominent in this end terrace location. The appellant has also drawn my attention to the fact the SPD refers to permission not 'normally' being granted in such circumstances. This implies that there would be cases where the reduction in space may be acceptable. However, while the building itself would be relatively modest in scale and sympathetic to the host property, the amount of space between buildings is already constrained and I consider the SPD's guidance to be particularly relevant to this situation.
9. Notwithstanding the increase the amount of amenity space the appellant would have by knocking down the existing partition wall, the overall amount of space between buildings and the sense of openness and character of the area would be unacceptably impacted upon by the proposed development. Accordingly, there would be conflict with Core Strategy Policy BE1, Development Management Local Plan Policy DM G3 and SPD Housing Policy 6 which, amongst other things, seek to ensure extensions to buildings respect the character of an area and spaces between buildings.
10. The Council has also raised concerns over the precedent that this might cause. While there have been alterations to other buildings in the row, there have been no other rear extensions that would project to the full extent of the dwellings' plots. Therefore, there are a number of potential opportunities to carry out similar forms of development. In my view, allowing the appeal would set a precedent for equivalent proposals in such rear gardens which cumulatively would have a significant impact on the character of the area.

Other matters

11. The Council has raised no concerns over the impact of the development on the setting of the adjacent Conservation Area and I saw nothing which would lead me to disagree with their conclusions on this matter.
12. The officer report indicates that the appellant highlighted similar developments in the vicinity. I have not had the full details of these developments, though the Council's report suggests the circumstances were different. In any case, I have considered the appeal on its own merits.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR