

Appeal Decision

Site visit made on 25 October 2016

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 4 November 2016

Appeal Ref: APP/H5390/W/16/3156411

Studio 2, Avonmore Place Studios, Kingsley House, Avonmore Place, London, W14 8RY

- 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 Dene Jesmond Enterprises Ltd against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/00869/FUL, dated 24 February 2016, was refused by notice dated 31 May 2016.
 - The development proposed is the insertion of a window into the south facing elevation of Studio 2, Avonmore Place Studios.
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Decision

1. The appeal is allowed and planning permission is granted for the insertion of a window into the south facing elevation at Studio 2, Avonmore Place Studios, Kingsley House, Avonmore Place, London, W14 8RY in accordance with the terms of the application, Ref 2016/00869/FUL, dated 24 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2 AP- /001 Rev A; /002 Rev A; /003 Rev A; /004 Rev A.
 - 3) Notwithstanding the details contained on the approved plans, development shall not commence until details of the type of obscured glazing and details of the opening light are submitted to and approved in writing by the local planning authority. The window shall be installed in accordance with the approved details and shall remain as such thereafter.

Main Issues

2. The main issues are (i) whether the proposed window would preserve or enhance the character or appearance of the conservation area and the effect of the window upon the setting of the nearby Grade II Listed Buildings; and (ii) the effect of the window upon the living conditions of the occupiers of Addison Bridge Place in respect of privacy.

Reasons

Heritage

3. The appeal building, which is on the Council's list of Buildings of Merit, is located within the Olympia and Avonmore Conservation Area which is
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characterised by diverse areas and buildings including the Olympia Exhibition Centre. There are Victorian Buildings in the vicinity of the site and the Listed Buildings on Addison Bridge Place adjoining the site are Georgian. The appeal building is of red brick and has the appearance of a former Victorian industrial site.

4. I was able to see at my visit that there are other windows of a similar size and style on the same elevation as the proposed window. Therefore, I consider that it would not be out of keeping with the appearance or architectural style of the building. As such, it would look satisfactory within the host building; it would not have a detrimental effect upon the setting of the nearby listed buildings; and it would preserve the character and appearance of the conservation area.
5. I therefore find no conflict with Policy BE1 of the London Borough Hammersmith and Fulham Core Strategy, 2011(CS); or Policies DM G3 and DM G7 of the London Borough of Hammersmith and Fulham Development Management Local Plan (LP). Neither do I find conflict with Design Policies 21, 31, 61 and 62 of the Planning Guidance Supplementary Planning Document (2013). In combination, these policies seek to ensure high quality design, protect Buildings of Merit and other designated heritage assets, and to protect the character and appearance of conservation areas.

Living Conditions

6. The window would be on the boundary of the garden of 2 Addison Bridge Place. It would be mostly obscure glazed and would have a small inward opening light at the top which would be too high to see out of. A condition can secure the specific glazing details to ensure the protection of the neighbours' privacy. I note the neighbour's comments about nearby trees but the Council is satisfied that trees are not under threat from the window and I have no reason to disagree.
7. Therefore, I conclude that the proposed window would not harm the living conditions of occupiers of dwellings on Addison Bridge Place. Consequently, I find no conflict with CS Policy BE1 or LP Policies DM G3 DM A9. In combination, these policies seek to ensure good design and the protection of existing residential amenities.

Conditions

8. In addition to the standard implementation condition it is necessary, in the interest of precision, to define the plans with which the scheme should accord. A condition requiring details of glazing is required in the interest of the privacy of neighbours. This condition is a pre-commencement condition as it cannot be satisfactorily dealt with at any other time.

Conclusion

9. I have taken into account all other matters raised, including the representations from neighbours, but none outweigh the conclusions I have reached and for the above reasons the appeal is allowed subject to conditions.

Siobhan Watson

INSPECTOR