
Appeal Decision

Site visit made on 5 January 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 20 January 2017

Appeal Ref: APP/H5390/Z/16/3157643

122 to 124 Hammersmith Road, London W6 7JP

- 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 Baghdad against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/02048/FUL, dated 3 May 2016, was refused by notice dated 30 June 2016.
 - The development proposed is the installation of a recessed shopfront.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of a recessed shopfront at 122 to 124 Hammersmith Road, London W6 7JP in accordance with the terms of the application, Ref 2016/02048/FUL, dated 3 May 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: '161-02'.

Main Issue

2. Whether the proposed shopfront¹ would preserve or enhance the character or appearance of the Brook Green Conservation Area (CA).

Reasons

3. Latymer Court is a large multi-storey building which dominates the northern side of Hammersmith Road. The ground floor includes commercial premises and the upper floors are primarily residential. The boundary of the CA runs along the centre of the busy road. The building provides a distinctive edge to the CA. The rhythm and simple lines of the windows and bays of the upper floors as well as the 2 large arched ground floor entrances in particular are very reminiscent of the art-deco style typical of the 1930s. The Council says that the building was originally constructed in 1934 and that it remains one of London's largest private residential estates.
4. The ground floor commercial units are accessible directly from the pavement. These individual units vary in width and form. There are some units with

¹ The term 'shopfront' is used generically without intending to ascribe a particular use-class to any property.

central entrances and large display windows to the side providing a symmetrical form. However these are mixed up with other shopfronts with an asymmetrical appearance as well as some narrower units with single display windows. There is also variety in the colour and materials used as well as differences in the size, height and style of fascias and canopies.

5. The appeal site currently has an asymmetrical appearance. To the left hand side there is a sliding pedestrian door with a narrow display window with 2 glazed lights above. To the right hand side of a pillar, there is a large single display window. The window frames are constructed of red aluminium. The proposal would involve the replacement of the larger display window with 3 timber-framed floor to ceiling doors, recessed by 1m behind the existing line of the shopfront. A very small covered seating area would be formed in front of the doors which could also be folded back to create an open frontage. The void that would be created when the doors are folded would have a minor impact and would be seen alongside a range of other styles of shopfront.
6. The ground floor commercial units do not appear as an integral part of the distinctive art-deco style of the otherwise distinctive building. The Council does not suggest that they are part of the original building or that they have a similar form to those originally installed. The shopfronts have a less ordered appearance than the upper floors. The appeal site has an individual appearance and the proposed changes would not have a greater impact.
7. The proposal would be sympathetic to the varied architectural style of the ground floor premises. It would have a neutral effect upon the overall building and wider CA. The significance of the building within the CA would be unaffected.
8. In relation to the main issue, the proposal would preserve the character and appearance of the CA. This would achieve a satisfactory relationship between the ground floor and the rest of the building as required by Local Plan² (LP) Policy DMG4 and Policy 22 of the Supplementary Planning Document³. LP Policy DM G7 would also be complied with.

Conditions

9. The Council has suggested conditions to control the installation of shutters, other obstructions within the windows and also lighting at the premises. It is not made clear why the proposed changes to the shopfront should require additional controls over these matters. Another suggested condition seeks to prevent furniture being placed on the public footway. That relates to land outside of the appeal site, not in the appellant's control. I do not consider that those suggested conditions would be reasonable or necessary.
10. A further suggested condition would require the use of timber for the proposed window frames but that is specified on the plans. I have imposed a condition specifying the relevant drawings as this provides certainty that the development will be implemented as proposed.

² London Borough of Hammersmith and Fulham, Development Management Local Plan, adopted July 2013

³ London Borough of Hammersmith and Fulham, Planning Guidance Supplementary Planning Document, July 2013

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Harwood

INSPECTOR