
Appeal Decisions

Site visit made on 9 January 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 27 January 2017

Appeal Ref: APP/H5390/W/16/3158170

Vine and Bell Cottage, 622 Fulham Road, London SW6 5RS

- 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 Mark Lynagh against the failure of the Council of the London Borough of Hammersmith & Fulham to issue a decision.
 - The application Ref 2014/05919/FUL is dated 12 December 2014.
 - The development proposed is the extension of the existing basement, enlargement of 2 existing light-wells, the addition of 7 new light-wells to the front, side and rear of the property.
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Appeal Ref: APP/H5390/Y/16/3156836

Vine and Bell Cottage, 622 Fulham Road, London SW6 5RS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Mark Lynagh against the failure of the Council of the London Borough of Hammersmith & Fulham to issue a decision.
 - The application Ref 2014/05920/LBC is dated 12 December 2014.
 - The works proposed are the extension of the existing basement, enlargement of 2 existing light-wells, the addition of 7 new light-wells to the front, side and rear of the property.
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Decisions

1. The appeals are dismissed.

Main Issue

2. The main issue in these appeals is the effects of the proposal on the special architectural and historic interest of the building.

Reasons

3. The appeals relate to this detached 2 storey house which is grade II listed. It is said to date from the early 18th Century and consisted of a modest and simple 2 rooms either side of a central staircase at ground and first floor, with a small basement. The property has been subsequently extended such that it now forms a much larger U shaped house surrounding its small rear garden. The proposal would seek to extend the property at the basement level under the whole of the existing floor-plan of the property, including the relocation of the stairs to the basement.
4. Despite the form of the extensions to it, some aspects of the property retain its original character wherein the modest and simple plan form of the original

rooms is clear, along with the simple hierarchy of a small and functional basement with reception/living rooms at ground floor and bedrooms above. I consider that the special interest of the building derives from its age forming part of the older settlement in the area, its handsome and interesting elevations along with some original features; additionally, the plan form and hierarchy of floors is still legible (although some aspects are much altered) and this reflects its more modest origins and the simple hierarchy of floors.

5. The proposal would provide a large basement with a greater depth than the existing one. The accommodation would include bedrooms, cinema, a gym, en suite rooms and a further kitchen. I consider that this would completely destroy any concept of the existing and original modest basement providing small and functional accommodation which was of the lowest order in the hierarchy of rooms. Furthermore, the manner in which it currently relates to the original 2 room layout would be lost by the relocation of the stairs down to the basement level. As a result of the proposal, the basement would assume a far greater degree of importance than was ever intended and it would, as a consequence, significantly and detrimentally alter the significance of the listed building. An important element in its special character would be all-but lost.
6. I have taken account of the nature and time consuming negotiations that have taken place between the Council and the appellant, including the indications that the officers of the Council appeared to be willing to support the proposal in principle and I have some sympathy in relation to the time that it has taken to reach this stage. However, my judgement must be made on the merits of the proposal and the effects on the listed building. Having focussed on this issue I am firmly of the view that the proposal would cause harm to the listed building and detrimentally affect its significance.
7. The appellant states that the alterations would assist in promoting the optimum viable use of the property. In my judgement there is nothing to indicate that the existing layout of the building has had any detrimental effect on its use or viability and I see no benefits to weigh against the harm in this respect. In relation to advice in the National planning Policy Framework, I identify that the harm that would arise would be 'less than substantial harm'; although there would be some benefit to the occupiers of the property, I find no public benefits that would outweigh the harm that I envisage. As a consequence, the proposal is contrary to Policies DM G3 and DM G7 of the Development Management Local Plan.
8. The appeal documents contain some discussion on measures to ensure the structural stability of the listed building, if the proposal were to go ahead. Although the appeals are to be dismissed, in the event that they had been successful, I am satisfied that the use of conditions or an Obligation could ensure that suitable measure could be put in place in this respect.

Conclusion

9. I have taken account of all other matters but find nothing to lead me to a different conclusion. For the reasons set out above, the appeals are dismissed.

ST Wood

INSPECTOR