
Appeal Decision

Site visit made on 24 May 2017

by D Guiver LLB(Hons) Solicitor

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

Decision date: 22ND June 2017

Appeal Ref: APP/H5390/D/16/3164615

22 Lime Grove, London W12 8EA

- 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 Anthony Collett against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/02960/FUL, dated 28 June 2016, was refused by notice dated 21 October 2016.
 - The development proposed is the extension of existing studio building in rear garden.
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Decision

1. The appeal is allowed and planning permission is granted for the extension of existing studio building in rear garden at 22 Lime Grove, London W12 8EA in accordance with the terms of the application, Ref 2016/02960/FUL, dated 28 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P001, P002, P003, P004, P005 and P006.
 - 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing studio building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no external alterations, including air conditioning units, ventilation fans or extraction equipment other than those expressly authorised by this permission shall be constructed on the roof or southern elevation of the extension.

Main Issues

2. The effect of the proposed development on:
 - the character and appearance of the host building and on the character or appearance of the Coningham and Lime Grove Conservation Area; and
 - biodiversity and green infrastructure, with particular regard to the available garden land and the potential for landscaping and planting.
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Reasons

Character and Appearance

3. The appeal property is an attractive and substantial semi-detached Victorian town house with accommodation on four floors, including the basement and attic. The house is built of pale brick and white painted stone, with typically lofty internal spaces that give the building an imposing sense of height and mass. To the rear is a large garden which was increased in size when the rear portion of the garden from the neighbouring property at 20 Lime Grove was purchased and incorporated into the appeal site. The additional land was used to construct the studio which is subject to this appeal.
4. In terms of scale there is no doubt that the proposed extension would result in a significant increase in the studio's footprint, and that it would be larger than the main building. However, scale is not limited to footprint and should take account of the overall impact and size of a development. The existing studio is a substantial and imposing building, yet it is dwarfed by the main house and is clearly subservient to the main building. The extension would be built on the studio's western elevation, furthest from the main building, and would sit between that elevation and the rear boundary wall. The roof of the extension would be a metre or so lower than the existing studio roof and as a result the extension would be an unobtrusive addition to the overall bulk of the studio.
5. Despite the increase in the studio's footprint that would result from the extension, I consider that the imposing height and structure of the main building would remain dominant. Therefore I conclude that the proposed development would be in accordance with Policy DM G3 of the Hammersmith and Fulham Development Management Local Plan 2013 (the Local Plan), which seeks to ensure, amongst other things, that extensions including outbuildings would be compatible with the scale of existing buildings and subservient to them.

Conservation Area

6. The appeal site is within the Coningham and Lime Grove Conservation Area (the Conservation Area). As such I am mindful of my statutory duty, arising under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
7. Policy DM G7 of the Local Plan and Policy BE1 of the Hammersmith and Fulham Core Strategy 2011 (the Core Strategy) together seek to ensure that new development respects local context and protects or enhances the character and appearance of conservation areas. In addition Policy DM G7 makes specific reference to scale, height and massing as matters to be considered, albeit in reference to conservation areas rather than host buildings.
8. In the vicinity of the proposed development, Lime Grove comprises a series of large semi-detached town houses similar in size and design to the appeal site, although some of these houses have been converted into flats. The largely residential nature of the Conservation Area is an important element of its character, which should be preserved.

9. To the rear of the appeal site is a primary school and a number of substantial dwellings in Coverdale Road. The rear gardens of 13 and 15 Coverdale Road end immediately abutting the development site. This part of the Conservation Area is typified by such substantial dwellings and rear gardens. By reason of its length and breadth, together with the additional parcel of land that was formerly part of the garden to No 20, the appeal site has an extensive garden larger in scale than most of the surrounding properties.
10. When assessing the effect the proposed development would have on the Conservation Area the totality of rear garden space should be considered, rather than just the space at the appeal site. The development would be built on a relatively small area at the far end of the additional parcel of land and would leave the appeal site still with a substantial garden similar to its original size. Because the development would be built in the confined space between the existing studio building and the rear wall, the reduction in the totality of rear garden space would be small.
11. There are no trees in the proposed development site, although there are a number of valuable mature trees close by that add to the character of the Conservation Area. The Council's Arboricultural Officer confirms that it is unlikely that the surrounding trees will be damaged during construction. Although the Council has suggested a condition relating to the protection of trees, I have seen no evidence to show that such a condition would be necessary.
12. Therefore, I consider that the proposed development would not lead to harm to the prevailing pattern of generous rear gardens in this part of the Conservation Area. Because the scale of the proposed development would be in keeping with the existing structure and would be subservient to the main building, I conclude that the extension would preserve the character and appearance of the Conservation Area, and it would comply with Policy BE1 of the Core Strategy and Policy DM G7 of the Local Plan.

Garden Land

13. Policy DM E4 of the Local Plan seeks to ensure that biodiversity and green infrastructure is enhanced by protecting back gardens from new development and encouraging planting. The proposed development would involve the loss of a relatively small space between the existing studio and the rear wall. This space is surrounded on four sides by a wall with a single arched gateway through the southern wall serving as the principal means of access.
14. Within the space there is a large shed built to the rear wall and used for storage. The available space is the only means of access to this shed and therefore would not be suitable for planting. In addition there are doors from the existing studio into the space which again limits the scope for planting. Given the enclosure and the need for access to the shed and from the studio, I consider that the site of the proposed development is unsuitable for use to enhance biodiversity and green infrastructure. While the proposed development would mean the permanent loss of this area, it would have very little impact in terms of lost capacity for planting.
15. Therefore, I conclude that the proposed development would be in accordance with Policy DM E4. Insofar as the proposed development would preserve the

character of the area, the loss of this garden space would also be in accordance with Policy BE1 of the Core Strategy and Policy DM G7 of the Local Plan.

Conditions

16. No issue is raised regarding the architecture and design of the extension, though it is important that it should reflect the existing buildings. I have therefore attached a condition to require matching materials. The Council suggested an additional condition requiring the use of stock brick but I consider this to be unnecessary as it would simply duplicate the materials condition.
17. The Council also suggested a condition to prevent alterations to the external appearance of the extension including the installation of air conditioning or extraction that could adversely affect the character and appearance of the Conservation Area. I have therefore attached a condition to remove permitted development rights in relation to such alterations. I have also attached the standard time condition and a plans condition to ensure certainty.
18. The Council proposed a condition restricting the use of the extension to that ancillary to the residential use of the main building and preventing use for any business purpose, and prevention of use as a separate dwelling. Such changes of use would require planning permission so a condition is not necessary.

Other Matters

19. I have had regard to the concerns of nearby occupiers, in particular loss of light. The proposed development is lower in height than the existing studio and the roof will rise to approximately one metre above the height of the existing walls surrounding the site. There is a possibility of overshadowing of the garden immediately north of the appeal site but because the highest part of the roof will sit back from the wall the impact would be very small. There are already a number of mature trees around the site that cause significant shadow in neighbouring gardens and the additional potential impact of the proposed development would be negligible. I therefore give very little weight to the issue of overshadowing.

Conclusion

20. For the reasons given above, and taking into account all other matters, I conclude that the appeal should be allowed.

D Guiver

INSPECTOR