
Appeal Decision

Site visit made on 11 April 2017

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 13 July 2017

Appeal Ref: APP/H5390/W/16/3163242

20 Delaford Street, Hammersmith and Fulham, London SW6 7LT

- 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 Mrs Wendy Tobi against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/03817/FUL, dated 23 August 2016, was refused by notice dated 3 November 2016.
 - The development proposed is the conversion of the property to provide 2 x 2 bed and 1 x 2 bed self-contained flats; alterations to the rear façade including a new rear door and the formation of a bin store to the front garden and bike storage to the front and rear gardens.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The main parties were asked to measure the depth of the front garden between the boundary wall and the bay window. The appellant has measured the garden as being approximately 814mm deep between the edge of the cill and the face of the garden wall, whilst the Council provided a figure of 85.5cm. The measurements provided by the main parties were broadly consistent with the evidence before me, including what I observed on site, and I have had regard to these figures in my consideration of the appeal.

Application for Costs

3. An application for costs was made by Mrs Wendy Tobi against the Council of the London Borough of Hammersmith and Fulham. This application is the subject of a separate decision.

Main Issue

4. The main issue is whether the proposed conversion of a single dwelling to three flats would make adequate provision for cycle storage.

Reasons

5. The appeal property is a mid-terraced house within a mostly residential area. It is one of a long row of similarly styled and aged three storey houses positioned to the southern side of Delaford Street. Some of these houses have been converted into flats. At the time of my visit internal works to the house and its extension were being undertaken. There is no dispute between the
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- main parties as to the principle of the conversion of a single dwelling into three flats.
6. The property has both rear and front gardens. The proposed conversion would subdivide the rear garden into two, with a bike lock anchor provided for each. In the front garden three refuse bins would be provided, one for each flat, along with parking for three bikes.
 7. A core planning principle of the National Planning Policy Framework (the Framework) is to make the fullest possible use of public transport, walking and cycling. Policy 6.9 of the London Plan (2016) (LP) and Policy DM J5 of the Hammersmith and Fulham Development Management Local Plan (2013) (DMLP) encourage, amongst other things, increased cycling. The DMLP Policy prescribes minimum cycle parking standards for flats and houses with the provision of one space for dwellings with 1-2 bedrooms, and two spaces for those with two-plus bedrooms. In this case the Council require the provision of three cycle parking spaces.
 8. A requirement of DMLP Policy DM J5 is that the provision of cycle parking should be both convenient and safe. The two cycle parks in the rear garden would necessitate bringing bikes through the house, including carrying them up and down stairs. This would neither be safe nor convenient.
 9. As regards the spaces in the front garden, what is not clear is how three bikes could be parked so as to maintain access to the refuse bins. The garden is shallow and its depth is further restricted by the projection of the bay window and its deep stone cill. Three bikes would occupy much of the space in the yard, and on the basis of the evidence before me it is not clear how they could be safely and conveniently parked and retain access to the bins. Furthermore, although not a matter for the main parties, I share the concerns of local residents that the parking of bikes over the basement lightwell and very close to the bay windows would reduce light levels to the former as well as cause frequent noise and disturbance to future occupiers.
 10. I have had regard to the fact that the proposal provides more parking provision than required by the Council, and have considered the comments of the Inspector for appeal APP/H5390/W/16/3146890. However, in this case I have been provided with measurements of the depth of the front yard. Moreover these measurements are taken from the edge of the cill which the appellant confirms is not shown on the application drawings. The detailed evidence before me indicates that the physical constraints of the site would prevent the proposed arrangement. Due to the narrow depth of the front garden, parking three bikes in such a constrained space would not meet the requirements of DMLP Policy DM J5 and access to the refuse bins would be obstructed. For the reasons given, the proposed cycle parking would fail to accord with this DMLP policy or LP Policy 6.9, nor would it meet an objective of the Framework.
 11. The appellant has drawn my attention to other flatted developments where the Council have conditioned and approved the provision of cycle parking, and to the officer recommendation and suggested condition for application 2015/03106/FUL. However, the evidence provided for 11 Dawes Road shows a very different property than No 20 and is not directly comparable to the appeal proposal.

12. There are similarities between 13 Delaford Street and No 20, and I note that the appellant has resurveyed the garden of No 13 and found that it has "exactly the same dimensions" as No 20. However, on the basis of the plans provided showing the front yards of both these properties, that of No 13 is deeper than that of No 20. Although the difference in dimensions shown on the drawings might be small, for No 13 it is nevertheless fundamental to the safe and effective operation of the refuse and cycle storage area, which has not been demonstrated for the proposal before me. As such the two schemes are not directly comparable. Moreover, each application and appeal has to be considered on its own individual merits in accordance with the requirements of the current development plan and all other material considerations, as I have undertaken in this instance.

Other Matters

13. The appellant has drawn my attention to the proposal providing much needed additional housing. This would be a positive attribute of the scheme, but the benefit would be modest, and would not outweigh the harm I have found.
14. Local residents have raised a number of matters, including an increase in the demand for parking in the area, the loss of a large family home, the permitted extensions being overbearing and reducing light to nearby properties, and the scheme setting a precedent for similar proposals. However, given my findings on the main issue, I have no need to consider these further.
15. Finally, the concerns of some local residents with regards to the Council's handling of the application, including notification, are procedural matters. Such matters fall to be pursued by other means separate from the appeal process and are not for me to consider.

Conclusion

16. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR