



Appeal Decision

Site visit made on 5 December 2017

by Caroline Jones BA (Hons) DipTP MTP MRTPI

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

Decision date: 27th December 2017

Appeal Ref: APP/H5390/W/17/3181535
146 & 148 Iffley Road, London W6 0PE

- 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 Malcom and Sian John against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2017/01005/FUL, dated 10 March 2017, was refused by notice dated 8 May 2017.
 - The development proposed is described on the application form as 'proposal for the erection of a three storey rear extension and existing fabric alterations to the building that forms 146 & 148 Iffley Road and the subdivision of 146 into two self-contained flats, one accessed from the rear garden and the other from a shared hallway with 148 with a new front door on Iffley Road. 146 A (lower ground floor) will become a two bedroom flat, 146B (upper ground floor) a one bedroom flat and 148 (first, second and attic floors) will remain a three bedroom flat. The application includes changes to existing boundaries with construction of a new bicycle and bin store on the corner of Iffley and Beauclerc Road. On top of the new extension is proposed a roof terrace for 148 with 1.7m high obscure glazed balustrades'.
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Decision

1. The appeal is allowed and planning permission is granted for creation of additional self-contained residential (C3) unit, erection of a rear lower ground floor full width extension, erection of a full width rear extension at upper ground and first floor level, erection of a terrace at rear second floor level on top of rear first floor level extension, insertion of new door on western flank elevation of the property at upper ground floor level, installation of new windows and doors on the front elevation at lower ground and ground floor, alterations to the front garden level, insertion of bicycle and refuse store within front and rear garden, increase in height and alterations to the side boundary adjacent to Iffley Road including insertion of gates at 146 & 148 Iffley Road, London W6 0PE in accordance with the terms of the application, Ref 2017/01005/FUL, dated 10 March 2017, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have taken the description of development in the decision above from the Council's decision notice. I consider that this is a more accurate and succinct description of development than that in the banner heading above which was taken from the application form.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Bradmore Conservation Area.

Reasons

1. The appeal property is a three storey end of terrace dwelling with a roof extension and lower ground floor which contains two flats. It occupies a prominent corner plot on the junction of Beauclerc Road and Iffley Road. The surrounding area is predominantly residential comprising in the main of 19th Century terraced housing, many of which have rear projections. The appeal property is quite clearly a later addition, most likely built in the 1950s or 60s. The property fronts Beauclerc Road with its flank elevation on Iffley Road. The property is angled on its south west corner and the site tapers towards the north. The site lies within the Bradmore Conservation Area (BCA).
2. I have not been provided with a Conservation Area Appraisal. Nevertheless, I am of the opinion that the significance of the BCA lies in the architectural quality of its buildings, particularly those of late 19th Century and their contribution to the street scene. The appeal property lacks the considered design and architectural detailing of its 19th Century neighbours. I agree with the appellant that the building itself does not in itself contribute positively to the character and appearance of the BCA, however, nor does it detract from it. That aside, the Conservation Area is designated in its entirety and No 146 and 148 Iffley Road form part of the built fabric of the designated heritage asset.
3. The proposal encompasses the creation of an additional self-contained unit with extensions at lower ground floor, upper ground floor and first floor. The proposal includes a terrace at second floor level with glass screens and alterations to the front garden and side boundary wall. The Council has raised no objections to the lower ground floor extension, the alterations to the side boundary wall, the alterations to the front garden, the refuse and bicycle storage or the creation of the terrace at second floor level. Having regard to the information before me and from my observations on site I have no reason to conclude otherwise and am satisfied that these elements would not adversely affect the character and appearance of the BCA thereby preserving it.
4. The Council is primarily concerned with the width of the upper ground floor and first floor extension which would extend the full width of the property. Rear projections are a common feature of the area, including those on the flank elevations at the ends of terraces. These vary considerably in their height, width and form and include both full height and full width projecting wings resulting in a mixed appearance. In this respect, an extension of the size and form proposed would not be out of keeping.
5. Whilst the rear extension would extend the full width of the property, it would not extend beyond the depth of the adjacent projection at 25 Beauclerc Road nor would it extend higher than the adjacent parapet. Although the adjoining extension does not extend across the full width of the building, its return is barely noticeable from the street. The rear elevations of the adjoining terrace would still be appreciated in full. The extension would be set down considerably from the eaves of the host property and this, together with the tapered nature of the extension, would result in a visually subservient development. Although

the fenestration would not align with that of the adjacent property, nor does the existing fenestration and this would not justify withholding permission.

6. For these reasons, I do not find that the proposed development would result in harm to the character or appearance of the BCA which, as a result, would be preserved. The proposed development would therefore comply with the assertions of section 12 of the Framework. It would also be acceptable in the context of Policy BE1 of the Council's Core Strategy (2011), Policies DM G3 and DM G7 of the Council's Development Management Local Plan (2013). These policy approaches and additional guidance seek to ensure that, amongst other things, the historic environment is protected from harm through the use of high quality and contextually appropriate design, scale, form, height and mass.

Conditions

7. I have had regard to the conditions suggested by the Council. A condition requiring the development to be carried out in accordance with the approved plans is necessary in order to provide certainty. Those relating to materials, refuse and cycle provision are necessary in the interests of visual amenity and highway safety. That requiring details of parking, loading and storage during construction is necessary in the interests of highway safety and neighbour amenity. A condition requiring details of noise insulation is necessary in the interests of neighbour amenity. A condition requiring adherence to the measures in the flood risk are necessary in order to protect the property from flood risk. That relating to trees is necessary in order to protect the roots of the street trees.
8. I note the Highway Authority has suggested that the additional unit should be conditioned to be car free. I have my doubts on whether a condition would be appropriate having regard to the Planning Practice Guidance which advises that only in 'exceptional circumstances' should a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence be used. That said, I have not been provided with detailed justification on this matter on how it meets the tests in paragraph 206 of the National Planning Policy Framework. Nor have I been provided with a copy of the SPD to which the Highway Authority has referred. The development would have reasonable access to public transport and I am not persuaded that one additional one bedroom unit would have an unduly harmful impact on parking stress in the area. I have not therefore imposed a condition relating to this matter.

Conclusion

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

Caroline Jones

INSPECTOR

SCHEDULE OF 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: IRD_002 Rev G, IRD_200 Rev E, IRD_201 Rev E, IRD_202 Rev D, IRD_203 Rev D, IRD_204 Rev D, IRD_205 Rev B, IRD_206 Rev G, IRD_210 Rev G, IRD_211 Rev G, IRD_221 Rev F.
- 3) The external materials to be used in the construction of the hereby permitted development shall match those of the host property.
- 4) No development shall take place until details have been submitted to and approved in writing by the local planning authority of an enhanced sound insulation value DnT,w and L'nT,w of at least 5dB above the Building Regulations value, for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.
- 5) The measures outlined in the submitted Flood Risk Assessment shall be carried out in full prior to the occupation of the development hereby permitted and shall be retained thereafter.
- 6) No development shall take place, including any works of demolition, until a full details of the parking of vehicles of site operatives and visitors, the loading and unloading of plant and materials and the storage of plant and materials used in constructing the development have been submitted to and approved in writing by the local planning authority. The approved details shall be adhered to throughout the construction period for the development.
- 7) No development shall take place until full details of cycle parking provision and provision for the storage and disposal of waste have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to first occupation of the development and shall be retained thereafter.
- 8) All work within the front garden and the root protection areas of the two street trees shall be carried out in accordance with BS5837:2012. The recommendations of the Arboricultural Report prepared by Crown Consultants dated 27 February 2017 shall be carried out in full including the Arboricultural Method Statement and Tree Protection Plan. The post-hole foundations must be excavated using hand tools and under the supervision of an appointed Arboriculturalist. There shall be no lowering of ground levels within the front garden.