



Appeal Decisions

Site visit made on 19 November 2019

by Elaine Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2019

Appeal A Ref: APP/H5390/W/19/3234011

Sefton House, 243 New King's Road, London, SW6 4XG

- 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 and Mrs Wilson against the decision of the London Borough of Hammersmith and Fulham.
 - The application Ref 2018/04122/FUL, dated 20 December 2018, was refused by notice dated 10 May 2019.
 - The development proposed is described as 'construction of light-weight, transparent garden link between the rear extension of the main 243 New King's Road Georgian house, and the mews house to the rear, using minimum plan space in order for the property to be used as a Single Dwelling House. Materiality will focus on being as lightweight and minimal, using lightweight materials reflecting aluminium sliding doors to both side of the garden, and design will be subservient to the existing rear extension of 243 New King's Road main house'.
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Appeal Ref B: APP/H5390/Y/19/3234014

Sefton House, 243 New King's Road, London, SW6 4XG

- 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 and Mrs Wilson against the decision of the London Borough of Hammersmith and Fulham.
 - The application Ref 2018/04123/LBC, dated 20 December 2018, was refused by notice dated 10 May 2019.
 - The works proposed are described as 'construction of light-weight, transparent garden link between the rear extension of the main 243 New King's Road Georgian house, and the mews house to the rear, using minimum plan space in order for the property to be used as a Single Dwelling House. Materiality will focus on being as lightweight and minimal, using lightweight materials reflecting aluminium sliding doors to both side of the garden, and design will be subservient to the existing rear extension of 243 New King's Road main house'.
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Decisions

1. Both appeals are dismissed.

Procedural Matter

2. Both appeals relate to the same site. Whilst I have considered each proposal on its own merits, given that they have much in common, and in the interests of brevity, I have dealt with them together in the decision.

Main Issue

3. The main issue for both appeals is whether the proposed development and works would preserve the special architectural or historic interest of Sefton

House, a grade II listed building, and whether they would preserve or enhance the character or appearance of the Studdridge Street Conservation Area.

Reasons

4. The appeal property is a three storey mid terrace house of brown brick with three bays and a central doorway. Numbers 237 to 245 New King's Road are grade II listed as a group and date from 1795. The appeal site also includes a more modern 1960s two storey mews building to the rear (12 Peterborough Mews) which is used as ancillary residential accommodation to the main dwelling house. Although extended at the rear, the appeal property retains its traditional form and detailing, matters which contribute to its significance as a listed building. The house has a relatively spacious rear garden and although there is a mews building to its rear, there is sufficient space to ensure that the mews building is read as a separate building to the house, resulting in an open setting to the listed building. Despite the garden having been paved over, this open area also contributes to the heritage asset's significance.
5. The appeal site is located within the Studdridge Conservation Area (the boundary of this takes in the front part of the appeal site including the house and most of the rear garden area, but excludes the mews building). The Conservation Area covers a large swath of nineteenth century residential estate development and also includes a collection of seventeenth and eighteenth century large villas (such as the row in which the appeal site is located) which are recognised as some of the oldest surviving buildings within the Conservation Area. The appeal property and the other nearby buildings in this part of New King's Road bounding Parsons Green contributes to the character and appearance of the Conservation Area and its significance as a heritage asset.
6. The proposal is for a covered glazed link walkway to connect the main house to the mews building. It would be a glass enclosure with minimal framing and minimal profile glazed sliding doors to provide access to the garden area. It would be sited along the appeal property's west boundary wall, where there is currently a raised planter bed, and would follow the same outline as the wall. The link would be 1.2 metres wide and 2.65 metres high and would be lower than the existing rear extension in height.
7. The appeal property has been previously extended, and the rear elevation altered. In particular a large single storey extension spans the full width of the rear of the house and extends well back from it. The proposed link would reflect the existing glazed elevations of this extension and that of the mews building. It would connect these two modern elements and would not impinge on the historic fabric or internal plan form of the listed building or require the removal of any of its historic fabric.
8. The Council is concerned about the cumulative impact and scale of the proposed link alongside the property's other extensions. Whilst the proposal would lead to an accumulation of different sized extensions at the appeal property, given its limited height and lightweight design, in my view it would remain generally subservient to the main house and would be seen as a later feature at the appeal site, alongside the other extensions there, that would not challenge the visual primacy of the main house or the mews building per se.

9. That said, much of the appeal property's rear garden has already been lost to the single storey rear extension. The area which remains has been paved over and for the most part is not landscaped and so does not have a green or leafy character typical of a traditional garden. Even so, as an open outdoor space it plays an important role in providing a setting to the house and a gap that separates it from the mews building.
10. I appreciate that the existing garden is 74 square metres in area and the proposal would occupy only 12 square metres such that an open area to the rear of the appeal property would be retained. Nevertheless, the proposed link would be considerable in length and cover the full depth of the garden, extending in a long slim form well beyond the rear of the dwelling. It would impinge on the garden area and further erode the appeal property's open spacious setting which is part of the historic layout of the houses on the row. Although the garden wall would remain visible through the glass structure, it would also affect the appreciation of the garden area which would be enclosed on three sides by full height glazing as a result.
11. Furthermore, in providing a lengthy linking structure the proposal would compromise the separation between the house and the mews building and undermine the traditional relationship between these buildings and the garden and how these are experienced. The existing gap establishes the hierarchy between the two buildings on the appeal site. The proposal would undermine the separation between the buildings and thereby reduce the dominance of the host property. It would also erode the currently clear distinction between internal and external spaces at the appeal site and create an uncharacteristic sequence of linked internal spaces.
12. Neighbouring No 245 has a sizeable link extension on its boundary wall which is of a substantial construction and considerable scale and takes over much of what would have been that property's rear garden area. However, whilst I am not aware of the full circumstances that led to that development, I note that it dates from some years ago (the Council's statement indicates it was originally approved in 1978 and rebuilt in 2002). I accept that the proposal before me would not be of that scale or substance. However, I do not regard that existing development to be a reason to allow development that would be harmful. Nor am I necessarily convinced that such development should necessarily be repeated. I confirm in any event, that I have considered the appeal proposal on its own merits.
13. Whilst historic maps show that there has formerly been built development in the rear grounds of the appeal property, any such structures date back a good number of years and from the maps provided, appear to pre-date the mews building. In any case, they are not in place at the moment and do not serve to justify the appeal proposal.
14. Taking all these factors into account, I find that the proposal would unacceptably undermine the appeal property's spacious setting and fail to preserve the significance of that listed building. In coming to this view, I am aware that the proposed addition would not be directly adjacent to the listed building's historic core. However, my concern is for the building as a whole.

15. Turning to its effect on the Conservation Area, I acknowledge that the proposed link would be to the rear of the building and have no impact on its front elevation, or that of the wider terrace. However, as set out above, I have found that the appeal site as a whole contributes to the character and appearance of the Conservation Area. Whilst the proposal would not be visible from public vantage points, it would nevertheless be appreciated from nearby properties. I have also found that unacceptable harm to the listed building would be a consequence of the proposal. It therefore follows that it would cause some harm to the significance of the Conservation Area and so would fail to preserve its character and appearance.
16. Whilst not raised by the Council, the appellants refer to the site's role in the Parsons Green Conservation Area. However, I have not been provided with any further information on this matter and so have not been able to consider this point further.
17. I therefore conclude on the main issue that the proposed development and works would fail to preserve the special architectural and historic interest of Sefton House, a grade II listed building, and would not preserve or enhance the character or appearance of the Studdridge Street Conservation Area.
18. The National Planning Policy Framework (the Framework) advises at paragraph 193 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. I consider that the harm in this case, although serious, would be less than substantial in the terms meant by the Framework. Paragraph 196 of the Framework requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. Whilst the appellants refer to the public benefit of securing the optimal viable use of the dwelling house, the appeal property is already in residential use, and I have seen nothing to suggest that this would alter in the absence of the proposed link. As such, I do not regard this to be a particular benefit of the appeal scheme. No other public benefits have been put forward which would outweigh the harm to the designated heritage assets.
19. For these reasons the proposed development and works would be contrary to Policy DC1 of the Hammersmith and Fulham Local Plan (Local Plan) which requires development to create a high quality urban environment that respects and enhances its townscape context and heritage assets. Although the appellants question its relevance, as new build development, on the face of it the proposal would also conflict with Local Plan Policy DC2 which states that new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development. It would also fail to align with Local Plan Policy DC4 which requires a high standard of design in all alterations and extensions to existing buildings that should be compatible with the scale and character of existing development, neighbouring properties and their setting, or with Local Plan Policy DC8 which states that the Council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets.

20. The proposal would also be at odds with the Council's Planning Guidance Supplementary Planning Document (February 2018) SPD, Key Principles CAG2 and CAG3 which require new development to preserve or enhance, and not have a harmful impact on, the character and appearance of the Conservation Area. Whilst SPD Key Principle AG2 is cited on the planning application decision notice, and Key Principle AH2 on the listed building consent application decision notice, I have not been provided with copies of these documents.

Other Matters

21. There is currently no link between the house and the annex. The appellants consider that due to the long distance from the living room to the mews house, during cold weather or rainy days the annex remains of difficult access. I appreciate that the proposal would allow improved circulation between the house and the mews property and this is a benefit of the proposal for the occupiers of the property. However, it is insufficient to outweigh the harm that I have identified.

Conclusion

22. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

Elaine Worthington

INSPECTOR