
Appeal Decision

Site visit made on 7 September 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 28 September 2020

Appeal Ref: APP/H5390/D/20/3254422
221 Goldhawk Road, London W12 8ER

- 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 Richard Hennity against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2020/00056/FUL, dated 10 January 2020, was refused by notice dated 6 April 2020.
 - The development proposed is small rear extension at lower ground floor level.
-

Decision

1. The appeal is allowed and planning permission is granted for a small rear extension at lower ground floor level at 221 Goldhawk Road London W12 8ER in accordance with the terms of the application, Ref 2020/00056/FUL, dated 10 January 2020, subject to the following 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: Existing Drawings 1,2,3,4,5,6,7,8,9, and Proposed Drawings 10,11,12,13, Flood Risk Assessment and Tree Plan: Location of Sycamore tree 10/1/20
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of 221 Goldhawk Road and the Ravenscourt and Starch Green Conservation Area.

Reasons

4. 221 Goldhawk Road is located within the Ravenscourt and Starch Green Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and

Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The significance of the CA is largely derived from the architectural merit of its buildings and its varied and historic street layout. The Council has identified the appeal property as a 'Building of Merit' although there are limited details of the reasons for this before me.

5. The appeal property is a large semi-detached property with accommodation at lower ground floor level and an attached garage/coach house. The property has been previously extended with a substantial rear extension as well as a dormer extension within the rear roof slope. The property, which is largely unaltered at the front, makes a positive contribution to the street scene.
6. Key Principle HS4 of the Hammersmith and Fulham Planning Guidance Supplementary Planning Guidance (2018) (SPD) states that planning permission would not normally be granted for rear extensions that are more than 3.5m in length.
7. The proposal is for a small single storey flat roofed rear extension of the lower ground floor and would be attached to the rear of the coach house. It would create a utility and storeroom along with a toilet and would extend approximately 4 metres from the rear of the property. The proposal would not therefore meet the requirements of Key Principle HS4 of the SPD.
8. However, the rear garden of the property is set on two levels, with the larger grassed area at a higher level, accessed via steps from the area closest to the house currently used as a patio. The proposed extension would only encroach onto a small area of the existing lower area patio, leaving the majority of the garden unchanged. It would not significantly erode the sense of space or unduly alter the spatial characteristics of the site. Therefore, while there would be some loss of garden area, the proposal would not be harmful to character and appearance of the area.
9. Furthermore, the proposed extension would be limited in extent both in its own right and when compared to the bulk and massing of the building as a whole. It would be simple in terms of its form and appearance and have a limited projection both in width and length. It would be set at a low level in relation to ground level and would extend no higher than the existing boundary fence, thus being significantly lower in height than the existing dwelling. Therefore, taking all these factors into account, even when considered cumulatively with the existing extension, the proposal would be subservient to the original property.
10. For the above reasons, whilst the proposal would not meet the requirements of Key Principle HS4 of the SPD, I conclude that it would preserve the significance of the building and the character or appearance of the Ravenscourt and Starch Green Conservation Area. The proposed development would therefore meet the statutory tests set out in the Act and would accord with Policies DC1, DC4 and DC8 of the Local Plan (2018) and Policies 7.4 and 7.6 of the London Plan, and the aims of the National Planning Policy Framework (2019), which together, amongst other things, require that extensions must be of a high standard of design and subservient to the parent dwelling and preserve and enhance the significance of heritage assets and protect the character and appearance of conservation areas and be of high quality.

11. The decision notice also refers to Key Principles HS6 and HS7. These policies however relate to living conditions and are not therefore directly relevant to the main issue in this case.

Conditions

12. I have considered the conditions suggested by the Council in accordance with the Planning Practice Guidance (PPG). In the interest of proper planning I have attached a condition relating to time limits, and a condition specifying relevant plans to provide certainty.
13. In order to protect the character and appearance of the Conservation Area a condition that specifies that matching materials to the host dwelling are used in the development is necessary.
14. I have noted that a condition has been suggested by consultees in relation to tree protection which has not been specified by the Council but referred to in the officer's report. However, there is no information before this appeal on the extent of the tree roots and the effect the proposal would have on them. While I have taken this suggestion into account, I am unconvinced, given the scale of the development, the distance from the tree, and the stepped nature of the garden that the proposal would have a significant impact on root protection areas. As such this condition is not necessary to make the development acceptable.

Conclusion and Recommendation

15. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Susan Ashworth

INSPECTOR