



Appeal Decision

Site visit made on 10 November 2020

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th January 2021

Appeal Ref: APP/H5390/D/20/3253604
23 Richford Street, London W6 7HJ

- 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 David Searle against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2020/00028/FUL, dated 6 January 2020, was refused by notice dated 18 May 2020.
 - The development proposed is the erection of rear extensions at lower ground, upper ground, and first floor levels.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr David Searle against the Council of the London Borough of Hammersmith & Fulham. This application is the subject of a separate Decision.

Procedural Matters

3. The development proposed was described on the original planning application form as the 'erection of rear extensions at lower ground, upper ground, first and second floor level'. Before the planning application was determined, it was amended to omit the proposed second floor element. However, the reference to the first-floor element was omitted in error from the decision notice and the submitted appeal form. This was brought to my attention by the Council, along with comments on what it described as 'factual matters' in the appellant's statement. Accordingly, in the interests of natural justice I sought further comment from the appellant on the matters raised. I have taken these further comments into account in determining the appeal, and I am satisfied that neither party's interests have been prejudiced by my doing so. In the interests of accuracy, I have also used the corrected description of development in the banner heading and formal decision above.

Main Issues

4. The main issues are the effect of the proposed development on:
 - The character and appearance of the host property and the Hammersmith Grove Conservation Area; and

- Living conditions for occupiers of neighbouring properties at Nos 21 and 25 Richford Street, with particular regard to outlook and daylight.

Reasons,

Character and appearance

5. The appeal site sits within the Hammersmith Grove Conservation Area (the Conservation Area). I therefore have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. As heritage assets are irreplaceable, the National Planning Policy Framework (the Framework) states that they should be conserved in a manner appropriate to their significance (paragraph 184). It goes on to advise that any harm or loss requires clear and convincing justification (paragraph 194) and that any harm that is less than substantial must be weighed against the public benefit of the proposal (paragraph 196).
6. The Conservation Area is an area of 19th century residential development focused on Hammersmith Grove itself, a long straight tree-lined avenue of substantial three and four storey semi-detached and terraced villas. Dwellings on Richford Street are generally more modest in scale than those on Hammersmith Grove, but nonetheless the harmonious groups of terraced houses and their consistent street frontages and details make a considerable positive contribution to the visual quality of the Conservation Area.
7. The appeal property is a single-family dwelling, part of a continuous terrace of yellow stock brick properties which are 2 storeys high above exposed basements on the east side of Richford Street. At the rear, the property has a flat-roofed 3-storey closet wing, the top floor of which is set back from the lower storeys and with a cut-off corner next to No 21. The rear of the terrace is visible from the London Underground line to the east, and although dense tree cover obscures many views, the rear of the appeal property and its immediate neighbours can clearly be seen from the eastbound platform at Goldhawk Road station.
8. The proposal is the erection of a two-storey rear extension at lower ground and ground floor level, measuring approximately 5.6 metres high, 7.5 metres deep (projecting to around 2.1m beyond the existing closet wing) and across the full width of the host property. This would infill the space around the closet wing on two storeys, which would substantially alter the appearance of the building. The size and bulk of the extension would dominate the rear of the host property, and this would be particularly apparent because of the depth of the extension at upper ground floor level.
9. Many of the dwellings in the terrace have been altered at the rear – several have one or two storey extensions at lower ground and ground level, some of which are full-width, while others have roof extensions. The appellant has drawn my attention particularly to the extensions at Nos 13, 21 and 27 Richford Street, as well as No 6 on the other side of the street, which were approved by the Council within the last decade. However, none of these appears comparable in scale to the current proposal, and all are stepped back – in some cases quite considerably – at upper ground floor level. In the case of the adjoining dwelling at No 21, it was clear from my site visit that although the lower ground floor extension is deeper (at around 10.1m) than that proposed in this case, the upper ground floor extension is flush with the rear of

the closet wing of the appeal property. This means that the impact of the overall bulk is considerably less than would be the case for this proposal. The appellant has also referred to the extension at the rear of No 19, but although the upper ground floor extension there is deeper than that proposed in this case (at around 8m), I saw on my site visit that it does not run across the full width of the property. It therefore also has less visual impact than the proposal before me.

10. Notwithstanding the variety in design of the other rear extensions within the block, there is nevertheless some consistency of scale, particularly at upper ground floor level. While other rear extensions may be two storeys high, extend across the full width of the host property, or extend for a considerable depth beyond the rear elevation, none of the other examples to which I was referred appear to have all three characteristics. It is the combination of these three factors which together mean that the proposed extension would be a bulky and discordant feature, and which in my view mean that it would detract from the character of the rear of the host property and the wider terrace.
11. Extensions on the rear of Goldhawk Road, to which I was also referred, are seen in a slightly different context, being part of buildings in a mix of commercial, retail and residential uses. However, their scale and massing means that those extensions have not generally enhanced the character and appearance of their host properties, and their presence is not a reason to allow similar development in the domestic setting of the appeal property.
12. I consider that the use of London stock brick to match the host dwelling, the flat roof and double-height Crittall-style windows on the rear elevation would complement the existing building, and these elements of the proposal would be entirely acceptable. Similarly, although the proposed first-floor extension would be larger than that currently in place, it would not on its own be unduly large, and in appearance it would be in keeping with similar extensions elsewhere in the terrace. However, lack of harm in these respects is a neutral factor which does not outweigh the other detrimental effects of the proposal.
13. I conclude that the proposed extension would be harmful to the character and appearance of the host property, and so would not preserve or enhance the character or appearance of the Hammersmith Grove Conservation Area. Given the size of the Conservation Area as a whole, as well as the location of the proposed development to the rear of a terrace, in the Framework's terms the harm to its significance as a designated heritage asset would be less than substantial. The appellant has suggested that securing the maximum viable use of the appeal property would be a public benefit. However, in my view this would primarily be a private benefit accruing to the owner of the property, and the limited weight which I therefore consider it should carry in favour of the proposal would not outweigh the harm I have found.
14. The proposal therefore conflicts with Policies DC1, DC4 and DC8 of the 2018 Hammersmith and Fulham Local Plan (the Local Plan), which among other things require development to respect local context, to protect and enhance heritage assets, and seek to ensure that extensions are compatible with their surroundings in terms of scale and massing. The proposal also conflicts with the provisions of the Framework which seek to conserve and enhance the historic environment.

Living conditions

15. The proposed lower ground and upper ground floor extension would project beyond the existing rear elevations of No 25 Richford Street on both floors, and beyond the rear elevation of No 21 at upper ground floor level. The submitted drawings show that there would be no breach of the '45-degree rule' described in the Council's 2018 Planning Guidance Supplementary Planning Document in respect of the upper ground floor windows at the rear of No 21 or the lower ground floor windows at the rear of No 25. The plans provided to me do not include details of the position of the nearest upper ground floor window at No 25, and from my observations on site I agree with the Council's conclusion that the '45-degree rule' would be breached in respect of that window. However, I saw on my site visit that that window has obscure glazing, and this supports the indication in the submitted Design and Access Statement that it serves a bathroom. Taking these points together, I am satisfied that the proposed lower and upper ground extension would not have a significant adverse impact on the amenities of neighbouring occupiers by reason of loss of outlook or daylight.
16. The proposed first-floor extension would be wider and deeper than the existing closet wing at that level, and would omit the cut-off corner currently adjacent to No 21. The Council referred to an earlier planning application at the appeal property, which was refused permission because of its effects on living conditions in the upper flat at No 21¹. The evidence before me indicates that the proposed first floor extension before me is larger than that previously proposed, although I have not been provided with the full details of the previous application. The effect of the proposal would be to set the first-floor window in a deeper and darker recess than at present. As this had not been addressed in the appellant's Statement of Case, as described in the 'Procedural Matters' section above I sought further comment. The appellant suggested that the proposed increase in size would be minor and so would not have a significantly harmful impact on neighbouring amenity. However, in my view it is likely that the increased size of the first-floor extension, combined with the squared off corner, would narrow the outlook from the first-floor bedroom at No 21 and lead to a loss of daylight reaching that room.
17. On the basis of the evidence before me I cannot be satisfied that the proposal would cause harm to living conditions for the occupiers of the upper flat within No 21 resulting from a loss of daylight or outlook. I therefore conclude that the proposal would not comply with Policies HO11 and DC4 of the Local Plan. Among other things these policies seek to ensure that developments including extensions do not have a detrimental impact on neighbours' living conditions.

Conclusion

18. For the reasons given above the appeal is dismissed.

M Cryan

Inspector

¹ Hammersmith and Fulham ref: 2018/3952/FUL