



Appeal Decision

Site Visit made on 26 May 2021

by Scott Britnell MSc FdA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2021

Appeal Ref: APP/H5390/W/20/3265001

Ground Floor Flat, 13 Tyrawley Road, London SW6 4QG

- 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 Ms Angela Lockyer of L+L Architects Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2020/01208/FUL, dated 13 May 2020, was refused by notice dated 6 October 2020.
 - The development proposed is erection of a single storey side extension and rear extension to the rear of an existing terraced house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey side and rear extension to the rear of an existing terraced house at Ground Floor Flat, 13 Tyrawley Road, London, SW6 4QG in accordance with the terms of the application, Ref 2020/01208/FUL, dated 13 May 2020, and the plans submitted with it, subject to the conditions set out on the attached Schedule.

Application for costs

2. An application for costs has been made by Angela Lockyer of L+L Architects Ltd against the Council of the London Borough of Hammersmith and Fulham. That application is the subject of a separate decision.

Preliminary Matters

3. There are differences in the description of development given in the application form (as set out in the banner header above) and the Council's decision notice. I have revised the description of development in the formal decision above so that it is clear that the proposal is for a single side/rear extension and not separate side and rear extensions. It is clear from the drawings that this is what is intended and I do not consider that any party will suffer any injustice by me referring to the proposal as such.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host building, the terrace and the Parsons Green Conservation Area.

Reasons

5. The appeal site is located in the Parsons Green Conservation Area (CA). Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that, in making decisions on planning applications and appeals within a

- Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of the area.
6. I have little information before me from the main parties in relation to the CA. Based on my own observations, I consider that the significance of the CA is derived, in part, from the quality, appearance and age of its buildings, which are largely set out in terraces of residential dwellings. With regard to Tyrawley Road in particular that significance is experienced mainly from the public realm.
 7. The appeal building is a mid-terrace property sub-divided horizontally into flats. It has an attractive brick frontage with a decorative double height bay and a small rear garden. I observed that only a small section of the rear elevation can be observed in oblique views from Eel Common to the west and that these views are restricted mainly to the first floor of the building.
 8. The extension would fill the gap between the host dwelling and the side boundary of the appeal site, similar to the extension at adjacent dwelling at 15 Tyrawley Road. The extension would also project beyond the rear of the existing two storey outrigger by a distance of 1 metre (this measurement has been taken from the appellant's statement and is not disputed). The overall size and scale of the extension, including the projection beyond the rear building line would not, in my view, result in a disproportionate addition to the host building. In conjunction with its single storey form and height, whereby the roof would sit comfortably below the existing first floor window, the extension would achieve a successful level of subservience to the host building.
 9. There is limited intervisibility between the appeal building and the wider terrace at ground floor due to the presence of boundary treatments. From my observations and the photographs that the appellant has submitted with the appeal, however, it is clear that the rear elevations of buildings along the terrace have a mix of render and brick finishes. There are also examples of various extensions and alterations, including to the main roofs and to the two storey outriggers. Given this context and the scale and appearance of the extension, the proposal would not harm the character and appearance of the wider terrace, including in particular No 15 Tyrawley Road.
 10. Moreover, given its acceptable appearance and the lack of all but the most oblique public views, the extension would not appear as either a prominent or incongruous addition to the CA. As a result, the proposal would preserve the character and appearance of the CA and would not harm its significance as a heritage asset.
 11. I conclude that the proposal would not cause any harm to the character and appearance of the host building, the terrace or the Parsons Green Conservation Area. It would accord with Policies DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan February 2018. In summary, these require extensions to existing buildings to be compatible with the scale, and character of existing development, neighbouring properties and their setting, and to ensure that all development within the borough should respect and enhance its townscape and conserve the significance of the boroughs historic environment by protecting its heritage assets. The proposal would also comply with the overarching objectives of the National Planning Policy Framework (the Framework) with regards to the historic environment.

Conditions

12. The Council have suggested a number of planning conditions that it would wish to see imposed in the event that the appeal is allowed. Where I have imposed these conditions, I have revised them so that they comply with the relevant tests set out under the Framework and for the purposes of clarity.
13. I shall attach the standards plan condition for clarity. The Council request a condition that the extension should be carried out in London stock brick to match the existing building. Given the location of the extension and its scale and design, the use of blue glazed brick would not cause any harm to the character and appearance of the host building, the wider terrace or the CA. As such, I shall not impose this condition.
14. The Council also request a condition that the materials to be used in any alteration to the elevations of the existing building shall be carried out in the same materials. It is unclear what alterations the Council are referring to and therefore I shall not impose this condition.
15. Conditions are requested that no water tanks, water tank enclosures or other structures shall be erected on the roof of the extension and that the roof should not be used as a terrace or open amenity space. I shall impose these conditions in the interests of the character and appearance of the area and to protect the living conditions of neighbouring properties. The Council's suggested conditions also seeks to prevent alterations to the rear elevation of the building and the extension to form an access onto the roof. As the use of the roof as a roof terrace or amenity space would already be controlled by condition, I do not consider that this element is necessary.
16. To mitigate the susceptibility of the proposal to flooding, I shall impose a condition that the development be implemented in accordance with the mitigation measures set out in the submitted Flood Risk Assessment. In addition, to ensure that the development is water efficient, that water appliances where provided as part of the development, be installed to help minimise water use.
17. I note that the appellant indicates that they would accept a condition that limits the height of the extension to 3 metres above the finished floor level. I have assessed the proposal as acceptable and I note that the submitted drawings are drawn to scale. Such a condition is therefore unnecessary. The appellant would also be willing to accept a condition that requires a sample of the facing materials be submitted to the Council for approval. However, the facing materials are annotated on the drawings and I consider these to be acceptable given the discreet location of the extension. Therefore, I do not consider that such a condition is necessary.

Conclusion

18. For the reasons given I conclude that the appeal should succeed.

Scott Britnell

INSPECTOR

SCHEDULE

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:

Unnumbered Site Location Plan, 023/020 revision D, 023/021 revision C, 023/024, 023/025 revision C, 023/028 revision C, Flood Risk Assessment

3. No water tanks, water tank enclosures or other structures shall be erected upon the roof of the extension hereby permitted at any time.
4. No railings or other means of enclosure shall be erected on or around the roof of the extension hereby permitted and the roof shall not be used as a roof terrace or other open amenity space at any time.
5. The development hereby permitted shall be implemented in accordance with the recommended flood mitigation measures as proposed in the submitted Flood Risk Assessment and water appliances where these are provided as part of the development shall be installed to help minimise water use, unless otherwise agreed in writing by the local planning authority. The recommended mitigation measures shall be permanently maintained thereafter.