The Planning Inspectorate

Appeal Decision

Site Visit made on 9 August 2021

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st August 2021

Appeal Ref: APP/H5390/D/21/3274474
45 Sulivan Road, London SW6 3DT

- 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 Samy Hamdan against the decision of London Borough of Hammersmith and Fulham.
- The application Ref 2020/03364/FUL, dated 16 December 2020, was refused by notice dated 11 February 2021.
- The development proposed is the erection of a first floor rear extension.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor rear extension at 45 Sulivan Road, London, SW6 3DT in accordance with the terms of the application, Ref 2020/03364/FUL, dated 17 December 2020, and subject to the conditions set out in the attached schedule.

    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: 045SULLOC, 045SULPP01 Rev B, 045SULPP02 RevB, 045SULPE01 RevB, 045SULPE02 Rev B and 045SULPS01 RevB.

    3) The rear extension at first floor level hereby approved shall be constructed with materials matching the existing building and the windows shall be timber framed and thereafter so retained.

Preliminary Matter

2. A revised National Planning Policy Framework (the Framework) was published on 20 July 2021. The main parties have been given the opportunity to make any comments on the implications of the revised Framework to this appeal and I have taken any comments into account in my considerations.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host building and area, in particular, whether the proposal would preserve or enhance the character or appearance of the Hurlingham Conservation Area (the CA).

Reasons

4. The CA covers an extensive area which includes residential streets, with predominantly terrace properties, in conjunction with some large areas of open

space. 45 Sulivan Road is a terrace dwelling located within the CA. In this area, the CA covers the approximate north west side of the road. The significance of this part of the CA includes the front elevations of the terraces of the Edwardian style buildings which, with their two storey projecting gables, provide a distinctive and attractive rhythm to the street scene. The front covered porches, rendered and painted elevations and window pattern add to a general consistency of style and appearance, although the extent of flat roofed, front facing dormers are at odds with the original distinctive character.

5. The rear of many of these terrace buildings have been subject to considerable alterations and additions. These changes include a wide range of different sized and designed dormers, and single storey extensions with some flat and other sloping roofs. There is little consistency of design and appearance with the rear elevations. It is such, that although the rear elevations are visible from the rear gardens of adjoining properties, from the sports and social club and other areas behind the houses, the overall composition and appearance of the rear of the properties makes little positive contribution to the CA.

6. At my site visit I noted that the rear single storey extension of No 45 had been removed and that fairly substantial works were taking place, it appeared in conjunction with the provision of a basement. In terms of the neighbouring properties, No 43 has a flat roofed rear single storey addition and the extension at No 47, with its lean-to form, extends a reasonable distance up the rear wall of that property. Further to the broadly south west, the terrace of new dwellings has a rear wall that projects further back into those plots than the terrace which No 45 forms part of. The result is that the additions and position of parts of the rear of the properties along the terraces in the vicinity of No 45 have some variation and there is not an entirely clear and uninterrupted alignment.

7. The extension would project the rear first floor wall out by a modest distance. The addition would abut part of the lean-to extension at No 47 and with the proposed arrangement of timber framed windows and the render finish, the addition would not be especially apparent or draw the eye. Indeed given the mix of additions and styles which have been added along these rear elevations, the extension, while visible from adjoining properties and the land behind the gardens, would not have an undue or harmful impact on the character of the host building or the rear of this terrace. The scheme would not impact the front elevation of the property and, therefore, the significance of this important aspect of the terrace and the CA would not be affected.

8. I am mindful of the duty to pay special attention to the desirability of preserving or enhancing the character or appearance of any land or buildings in a Conservation Area. In this case, for the reasons explained, this modest rear extension, in the context of the surroundings, would preserve the character and appearance of this part of the CA and not affect its significance as a designated heritage asset.

9. In the light of the above analysis, I conclude that the scheme would not harm the character and appearance of the host building nor the area and it would preserve the character and appearance of the CA. Accordingly, the proposal would comply with Policies DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan (2018) and the Key Principles CAG2 and CAG3 of the Hammersmith and Fulham Planning Guidance Supplementary Planning Document (2018)

which seek, amongst other things, that all development should create a high quality urban environment that respects and enhances its townscape context and heritage assets.

Conditions

10. I have had regard to the conditions suggested by the Council and the advice in the Planning Practice Guidance. In addition to the statutory time condition, a condition requiring the development to be carried out in accordance with the approved plans is necessary in the interests of certainty.

11. The Council has suggested a number of conditions regarding the materials for the extension. A condition cannot control works to the existing building as part of this permission and it is only necessary for a condition to ensure that the extension be constructed in matching materials and that the windows are timber framed.

12. A condition requiring that the roof of the extension is not used as a balcony is not necessary as the roof area is narrow and there are no railings or similar restraint as part of this proposal that would allow safe or ready use of this area.

Conclusion

13. The scheme would accord with the policies of the development plan when considered as a whole. There are no material considerations that indicate a decision should be made otherwise than in accordance with the development plan. I therefore conclude that, subject to the specified conditions, the appeal should be allowed.

David Wyborn

INSPECTOR