



Appeal Decision

Site visit made on 20 October 2021

by Elaine Benson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2021

Appeal Ref: APP/H5390/D/21/3280891

17 Imperial Square, London SW6 2AE

- 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 & Mrs David & Olga Orr against the decision of the London Borough of Hammersmith and Fulham.
- The application Ref 2021/00438/FUL, dated 2 February 2021, was refused by notice dated 11 June 2021.
- The development proposed is first floor rear extension and ground floor rear extension.

Decision

1. The appeal is allowed and planning permission is granted for first floor rear extension and ground floor rear extension at 17 Imperial Square, London SW6 2AE in accordance with the terms of the application, Ref 2021/00438/FUL, dated 2 February 2021, 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: 24522 103, 24522 104, 24522 203, 24522 204 and 24522 302.
 - 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. All new materials shall accord with the terms of the application.

Main Issues

2. The main issues are i) the effect of the proposed development on the character and appearance of the host property and whether it would preserve or enhance the character or appearance of the Imperial Square and Gasworks Conservation Area (conservation area); and ii) the effect of the first-floor extension on the living conditions of neighbouring occupiers at 9 Harwood Terrace in terms of loss of outlook and an increased sense of enclosure.

Reasons

Character and Appearance

3. The appeal property (No 17) is a two-storey, mid-Victorian, end of terrace worker's cottage with a modest rear garden. It stands in a prominent position on the boundary of a well-used footpath. The front of No 17 is relatively unchanged, as are the majority of houses in the terrace, thereby producing a unified appearance of group value. At the rear is an original two-storey rear

- projection, typical of its age and design. The house has been extended at ground floor level.
4. The conservation area is a designated heritage asset. No 17 stands at one of the corners of the 3 sided 'square' where there is a pedestrian footpath to Harwood Terrace which passes between 2 buildings. Imperial Square has a uniformity of style and a village type character which is predominantly based on the arrangement of the houses with enclosed front gardens around a landscaped square. Its character and significance are derived from the compact arrangement of modest workers cottages of uniform building line, form and materials set around an open space. To my mind, these factors make the biggest contribution to the special character of the surroundings. The relative seclusion of the square and the street trees, hedges and other greenery also contribute to the distinctive 'rural cottage style' character of the area.
 5. The significance of the conservation area also includes its role in social history derived from the historic development of the local gasworks and the housing of its workers. In reaching these conclusions I have considered the Council's Conservation Area Appraisal and the professionally prepared Heritage Statement which accompanied the planning application.
 6. The appeal property has a somewhat narrow and irregular rear garden which is similar to other houses in the same terrace. Although small, the proposed single storey rear extension would result in the loss of some of the limited amount of private rear amenity space. However, the Imperial Square houses have larger front gardens than rear ones. Due possibly to its isolated location and the size and orientation of the front gardens, it was apparent at my site visit that many are used as outdoor living space in much the same way as rear gardens. Under these circumstances it is reasonable to conclude that the loss of some overshadowed garden at the rear of No 17 is acceptable where usable amenity space is available at the front. Additionally, potential future occupiers would be aware of the garden arrangement. The Council's argument that reducing the size of the garden would harm the existing sense of openness is unconvincing.
 7. The proposal includes a first-floor element which would infill the area between the existing 2 storey projection and the site boundary. This would result in a two-storey flank wall along the boundary of a public footpath which is currently open above the existing, lower boundary wall. However, there is an open area containing parking spaces and landscaping on the opposite side of the path. Within this context I am satisfied that the proposed flank wall would not create an oppressive sense of enclosure to users of this route.
 8. No 17 is the only house in the terrace which does not have a full-width first-floor rear extension. These create a series of predominantly valley roofs along the rear of the terrace, with a pair of windows below. Whilst it is acknowledged that Nos 1 and 30 stand within differing contexts, full width extensions are part of the local character. Therefore, I conclude that the introduction of the proportionate and sufficiently subservient first-floor extension would not harm the historic pattern of the local terrace houses.
 9. I conclude that the proposal would preserve the character and appearance of the host property and the conservation area and would accord with Policy DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan (2018) (LP) and with

the Key Principles CAG2, CAG3 and HS4 of the Planning Guidance Supplementary Planning Document (2018) (SPD).

Living Conditions

10. The depth and bulk of the ground-floor and first-floor elements of the extension would be a sufficient distance from the properties to the rear to avoid having an overbearing and dominating effect on the occupiers 9 Harwood Terrace. I am satisfied there would not be an unacceptable loss of outlook or sense of enclosure from its rear windows. Accordingly, the appeal proposal would not constitute an over-dominant, inappropriate and un-neighbourly form of development. It would accord with LP Policies DC4, DC8 and HO11 and SPD Key Principle HS6.

Other Matters

11. Matters raised relating to the affordability of the resulting larger property and the legality of its purchase do not affect my conclusions.

Conditions

12. For the avoidance of doubt and in the interests of proper planning I have identified the approved drawings in a condition. The use of matching external materials is required to preserve the character and appearance of the conservation area.

Conclusion

13. For the reasons set out above the appeal should be allowed.

Elaine Benson

INSPECTOR