



Appeal Decision

Site visit made on 18 January 2022

by C J Ford BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2022

Appeal Ref: APP/H5390/W/21/3281260

Flat 1, 102 Harwood Road, London SW6 4QJ

- 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 Mrs Municio against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2021/00669/FUL, dated 28 February 2021, was refused by notice dated 4 June 2021.
 - The development proposed is rear conservatory.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property, and the Parsons Green Conservation Area.

Reasons

3. As the site is located within the Parsons Green Conservation Area (CA), a designated heritage asset, there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The significance of the CA primarily derives from the two public open spaces of Parsons Green and Eel Brook Common, and the predominantly residential development located outside of them, which mostly consists of Victorian terraces. The terrace properties commonly feature rear garden areas whereby their sense of openness and the balance with the built form makes an important contribution to the character and appearance of the CA.
4. The appeal site accommodates a three storey end of terrace property. In their original built form, the properties within the terrace were provided with a two-storey rear projecting closet wing of a modest width and depth. At the appeal site, the closet wing has an existing sizeable single storey rear extension which wraps around and infills the formerly open rear return area. As such, the overall size and depth of the original rear garden area has been greatly reduced.
5. In the proposed scheme, a conservatory would project from the existing extension, up to a position a short distance back from the rear boundary. Consequently, it would reduce the size of the rear garden area even further, leaving only a narrow open space on one side of the site.

6. Despite the largely glazed and fairly lightweight nature of the conservatory, it would lead to the building appearing over-extended and cramped within its plot. Moreover, the important sense of spaciousness provided by the rear garden area would be significantly eroded. The development would therefore unacceptably harm the character and appearance of the host property, and it would fail to preserve or enhance the character or appearance of the CA.
7. It is recognised the development would not be visible from the public realm. However, even when taking into account the screening afforded by the height of the boundary treatment, its incongruous relationship with the building and the wider terrace would be discernible in private views from the rear windows in the upper floors of a number of neighbouring and nearby properties, which is a legitimate matter of public interest.
8. Given the limited scale of the proposed development in the context of the CA as a whole, the arising harm to the significance of the CA would be less than substantial. The Government's 2021 National Planning Policy Framework (the Framework), sets out that where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. It also sets out that great weight should be given to the conservation of designated heritage assets, irrespective of whether any potential harm is less than substantial.
9. The proposal would improve the accommodation of the ground floor flat. That may be considered a modest public benefit in terms of securing the long term functioning of the property as part of the CA. Nevertheless, it is essentially a personal benefit to the occupants or future occupants. Additionally, there is no evidence that the continued residential use of the property would be unviable or impractical without the scheme. The public benefits are therefore afforded very little weight.
10. With the above in mind, the public benefits of the appeal scheme would not attract sufficient weight to outweigh the harm to the CA. As a result, the proposed development would conflict with Policies DC1, DC4 and DC8 of the Council's 2018 adopted Hammersmith & Fulham Local Plan. Amongst other things, these policies seek to ensure development creates a high quality urban environment that respects and enhances its townscape context and heritage assets. It would also conflict with Key Principle HS4 of the Council's 2018 Planning Guidance Supplementary Planning Document, which sets out limits for the size of rear extensions to ensure the existing sense of openness is not adversely affected to a degree that would be harmful to the character of the area.

Other Matters

11. While there were no objections to the proposal from local residents, it nevertheless falls to be considered against extant planning policy and the statutory duty in respect of CAs.
12. It is acknowledged the proposed conservatory would enable the appellant to use the respective part of the rear garden area all year round in a comfortable environment, a private benefit which is afforded some weight. However, it does not outweigh the great weight that the Framework specifies should be given to the conservation of designated heritage assets. Furthermore, while an outside

amenity space would be retained which would be larger than the space afforded to many properties in the area, particularly other flats, that is not an overriding consideration in this case.

Conclusion

13. The proposal would conflict with the development plan as a whole and there are no material considerations, including relevant parts of the Framework, which indicate that the decision should be made otherwise than in accordance with it. The appeal is therefore dismissed.

C J Ford

INSPECTOR