



Appeal Decision

Site visit made on 28 June 2022

by Katherine Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 July 2022

Appeal Ref: APP/H5390/W/22/3291558

778 Fulham Road, London SW6 5SJ

- 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 Charlie Hatch-Barnwell against the decision of London Borough of Hammersmith and Fulham.
- The application Ref 2021/00954/FUL, dated 23 March 2021, was refused by notice dated 28 July 2021.
- The development proposed is the "Retrospective application for the replacement of existing glazed windows with grey aluminium bi-folding doors, to the front and side elevations at ground floor level".

Decision

1. The appeal is allowed, and planning permission is granted for development described as "Retrospective application for the replacement of existing glazed windows with grey aluminium bi-folding doors, to the front and side elevations at ground floor level" at 778 Fulham Road, London SW6 5SJ in accordance with the terms of the application, Ref 2021/00954/FUL, dated 23 March 2021, subject to the following condition:
 - 1) The development hereby permitted is as shown on the following approved plans: Location Plan; 003763-200; 003763- 201;003763-202; 003763-203; 003763-204; 003763-205.

Preliminary Matters

2. The development was originally described on the application form as "Proposed low wattage LED signage to replace the COPES Seafood text on the top of the shop to front and side elevations. Replacement of glazing with bi-folding doors". The Council amended the description to separate out advertisement consent matters. This appears to be an accurate reflection of what is proposed and the development before me in the appeal. I have taken the description above, which also appears on the appeal form. I am satisfied therefore that the cases of the main parties would not be prejudiced by my use of the above description.
3. I observed on my site visit that bi-folding doors have been installed at the appeal property in line with those shown on the submitted plans. I have therefore determined the appeal on the basis that development has already occurred.

Main Issue

4. The main issue is whether the development preserves or enhances the character and appearance of the Fulham Park Conservation Area (FPCA).

Reasons

5. The appeal property is on the corner of Oxberry Avenue and Fulham Road. It forms the end of a terrace of three storey buildings which have commercial units at ground floor and other uses above. The building is typical of this part of Fulham Road which is characterised by terraces with elaborate architraves around first and second floor windows and cornicing below the parapet. Shop fronts along the road are mixed in appearance. Many have deep fascias and expansive panes of glazing. There is no apparently coherent theme or design feature which presents any specific uniformity.
6. The significance of this part of the FPCA is derived from its development during the late Victorian period, typified by buildings with decorative architectural features. These architectural characteristics and unaltered features give the FPCA a strong sense of cohesion and buildings have notable group value. The majority of these features are at the upper floors and around corner doorways, which have been retained by the development.
7. The terrace has a red brick façade with attractive detailing. It retains many attractive features, particularly at the upper floors and around the doorways, as such it makes a positive contribution to both the character and appearance of the FPCA. The bi-folding doors that have been inserted, are according to the appellant to allow a mobile hot food van to be manoeuvred in and out of the premises
8. The doors were closed when I visited the site and I have not had the benefit of observing the premises with them open. Nor have I been provided with photographs of the doors open. However, it is not difficult to appreciate the effect of them in such a position. Given the extent of variation in shop fronts on this stretch of Fulham Road, including some with large plate glass windows ground floor shopfronts, voids at ground floor level are not uncommon. Whilst in the closed position the vertical repetition of the frames would not be dissimilar to other shop windows nearby.
9. Meanwhile, the proposal retains visual support for the building above through the ornate arch over the door on the corner splay, pilasters either side of it and a doorway and pilasters on the Oxberry Avenue elevation. These are distinctive and attractive, and the eye is drawn to them. They provide adequate visual support for the building above and I do not share the Council's concerns regarding this.
10. The Council's Planning Guidance Supplementary Planning Document (2018) (SPD) resists the removal of historic shopfronts. Whilst I appreciate that bi-fold doors are not a traditional feature of the FPCA, I am mindful the plans show that they have not replaced a traditional or original shop front.
11. The development, therefore, does not result in harm to its surroundings or to the special interest of the FPCA as identified above. Rather, it results in a neutral effect on the character and appearance of the FPCA as a whole, which would be preserved.
12. As such the development does not conflict with Hammersmith and Fulham Local Plan (2018) Policies DC1, DC4, DC5 and DC8 which, amongst other things, seek to ensure that development is of a high quality and conserves or enhances heritage assets. It also complies with Key Principles CAG3 and CAG4

in the SPD which advises that development should be sympathetic to the architectural character of the built context and not have a harmful impact on the character and appearance of the conservation area and that new shopfronts are appropriate to the architectural character of the building.

Other Matters

13. I have considered representations which refer to the retrospective nature of the appeal, and to the use and operation of the premises. These are not, however, matters which are relevant to my consideration of the appeal which is for the installation of bi-fold doors. I have assessed them on their own merits, having regard to the setting thereof in the FPCA, which must be assessed solely on its planning merits.

Conditions

14. The Council have not requested that any other conditions be imposed, and since the development has been carried out, I have only imposed a condition, for enforcement purposes, setting out the approved plans as they relate to the planning permission that has been granted.

Conclusion

15. For the reasons given above, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

Katherine Robbie

INSPECTOR