
Appeal Decision

Site visit made on 14 February 2023

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2023

Appeal Ref: APP/H5390/D/22/3302047

10 Weltje Road, Hammersmith and Fulham, London W6 9TG

- 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 Edward Evans against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2022/00283/FUL, dated 1 February 2022, was refused by notice dated 5 April 2022.
 - The development proposed is the erection of a cycle store, and erection of a refuse/recycling store in the front garden.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a cycle store, and erection of a refuse/recycling store in the front garden at 10 Weltje Road, Hammersmith and Fulham, London W6 9TG in accordance with the terms of the application, Ref 2022/00283/FUL, dated 1 February 2022, 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: OS Location plan, Blockplan, Existing elevations, sections and plan, drawing number 3054 Rev.0 and Proposed elevations, sections and plan, drawing number 3053 Rev.2.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials specified in the accompanying Design and Access Statement, namely natural coloured timber walls with a sedum green roof and retained as such thereafter.

Application for costs

2. An application for costs was made by Mr Edward Evans against the Council of the London Borough of Hammersmith & Fulham. This application is the subject of a separate Decision.

Procedural Matters

3. In the heading above I have taken the description of development from that used on the appeal form and the Council's decision notice. This is because it is more comprehensive than that used on the application form as it refers to refuse/recycling storage.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area with particular reference to whether the proposal would preserve or enhance the character or appearance of The Mall Conservation Area (CA).

Reasons

5. The CA is broadly linear covering a portion of the borough adjacent to the course of the River Thames. Its significance stems from a number of factors, chief amongst them how the buildings and spaces adjacent to the river have evolved over time and allowed for an interaction between the buildings, foreshore and activity on the water. Views to and along the river are therefore an important component of the CA. In addition, the prominence of historic buildings along the waterfront possesses considerable importance. Underpinning this relationship is the surrounding street pattern with some streets set perpendicular to the waterfront, which include several areas of late Victorian residential development.
6. Weltje Road is one such street that provides supporting late Victorian residential townscape as a backdrop to the waterfront. It comprises principally of attractive 3 storey terrace houses (often with basements and attics in addition). There is notable order derived from the definite building line set by the principal elevations. Furthermore, a regular rhythm to the two storey bay windows with decorative stucco surrounds proceeds along the street. Enclosure is provided by the low front walls and verdancy derived from mature trees and plants in front gardens. In combination these factors provide a pleasant street scene that frames the view towards the Thames. Nevertheless, there are some detracting elements, including properties where the front boundary wall is missing, some unrelieved areas of hardstanding and the number and variety of refuse bins on display in front gardens.
7. 10 Weltje Road is a mid terrace dwelling that reflects many of the positive characteristics described above and therefore, reinforces the significance of the CA. In making my determination, I am mindful of my statutory duty¹ to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
8. The appeal proposal would introduce a modest timber store to the front garden area of the dwelling to provide dedicated storage for bicycles and refuse receptacles. The siting of the outbuilding would be closer to Weltje Road than the main house and therefore would be visible in the street scene. However, there are factors that would counter a harmful visual appearance in this case.
9. Firstly, the proposed siting would be close to the side boundary wall at the furthest point away from the front door of no.10. Such deferential positioning would maintain an unobtrusive presence that would not interfere with the principal pedestrian route into the dwelling. Secondly, the simple structure would be modestly sized with a comparatively low height. Hence, its scale and form would be clearly subordinate to the main house.
10. In addition, the proposed materials, including natural timber walls and sedum green roof would result in a subdued appearance as the timber would likely

¹ Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

weather, and the roof would add softening greenery to the street scene. These factors would be consistent with the low-key status of the store.

11. Furthermore, when viewed from the road, the store would be behind the brick boundary frontage wall that abuts Weltje Road thereby providing some visual containment. Whilst the upper section of the structure would be seen over the top of the wall, given its overall unassuming appearance, it would not be notably conspicuous within the wider street scene.
12. The Council are concerned that in combination with the railings around the basement access, the structure would add clutter to the street scene and obscure views of the bay window. However, my observations were that the presence and position of the railings were broadly in keeping with the character of the dwelling and by their very nature and limited height, do little to obscure views of the bay window. The added presence of the store would be unlikely to detrimentally interfere with views of the principal elevation of the dwelling overall or an appreciation of its architectural quality.
13. Taking these factors together, the form, size and low-key appearance of the proposed outbuilding would defer to the higher authority of the host dwelling. Furthermore, it would not undermine the building lines of the principal elevation and front wall, the rhythm of the two storey bay windows or views towards the Thames which contribute towards the significance of the CA. Moreover, it would rationalise and conceal the storage of refuse bins. It would also be likely to prevent more prominent incidental bicycle parking within the front garden, which might for example result in bicycles being secured to the railings mentioned, which I observed occurring elsewhere in the street. Overall, I find that the impact to character and appearance would be largely neutral.
14. My finding is reinforced by the highlighted examples of other broadly similar front garden stores within the same CA at 6 Weltje Road and at Eyot Gardens. My observations of those examples were that they generally preserved the character and appearance of the CA.
15. Therefore, the proposal would be respectful of the architectural qualities of the host building and would also preserve the character and appearance of the CA. In these respects, it would align with key principle CAG3 of the Council's Planning Guidance Supplementary Planning Document 2018.
16. It follows that as I have not found harm would be caused to the significance of the CA, the proposal would not conflict with the heritage policies in the National Planning Policy Framework (the Framework) that seek to conserve and enhance the historic environment. In these circumstances the heritage balance in paragraph 202 of the Framework is not invoked.
17. The Council highlight two recent appeal decisions at Ground Floor Flat, 71 Overstone Road and 7 Coulter Road whereby front garden stores were dismissed. Whilst I do not have the full details of those proposals, I note from the addresses that both are located some distance to the north-east of the appeal site, and neither are in the same CA. On the evidence provided, it is not shown that the significance of the CA concerned in those cases is directly comparable or transferable to The Mall CA. As such, I attribute limited negative weight to these decisions.

18. The Council also considers that alternative bicycle parking could be provided in the rear garden of no.10, or through the installation of an on street cycle hanger. However, given that I have not found harm would arise from the proposal before me, it is unnecessary to consider the respective merits of potential alternatives.
19. Accordingly, I find no conflict with policies RTC3, DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan, February 2018. Amongst other matters, these policies include provisions that when taken in combination, seek to create a high quality urban environment which maintains or enhances the historic environment.

Other matters

20. I have attributed additional positive weight to the likely benefit arising from the proposed store as the security and convenience it would provide to the occupants of the property would be likely to encourage more regular cycling. This would accord with the general encouragement given to such matters in section 9 of the Framework that promotes sustainable transport.

Conditions

21. In the interests of certainty, it is necessary to specify an implementation period and the plans that are approved. In addition, a condition specifying the external materials in line with those described in the Design and Access Statement would ensure the overall quality of the design.

Conclusion

22. Planning law requires decisions to be made in accordance with the development plan, unless material considerations indicate otherwise². For the reasons given above I conclude that the appeal complies with development plan policies and therefore, should be allowed.

Helen O'Connor

Inspector

² Section 38(6) Planning and Compulsory Purchase Act 2004 and section 70 (2) of the Town and Country Planning Act 1990.