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## Appeal Decision

Site visit made on 27 March 2023

**by S Poole BA(Hons) DipArch MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 April 2023**

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**Appeal Ref: APP/H5390/D/22/3311473**

**40 Ellerslie Road, London W12 7BW**

- 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 Greg Haas against the decision of the Council of the London Borough of Hammersmith and Fulham.
  - The application Ref 2022/01253, dated 29 April 2022, was refused by notice dated 15 September 2022.
  - The development proposed is described on the application form as “reinstating previous brick piers, low walls, metal railing/gate and retaining the existing raised platform”
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of host property and the street scene.

### Reasons

3. The appeal property is a 3-storey house with the lower ground floor set slightly below street level and the upper ground floor accessed via steps from the street. It forms part of an attractive terrace which retains a high degree of its original uniformity and character. The front boundaries of the properties in the terrace predominantly comprise dwarf walls with railings above. Behind the railings most properties have small front gardens, the planting within which softens the appearance of the street scene and positively contributes to the area’s character.
4. Up until recently the appeal property had a small front garden and a front boundary formed by a dwarf wall without railings. The dwarf wall and associated brick piers have been removed and a concrete forecourt area created that occupies a large proportion of the frontage area. The appeal proposal would reinstate the wall and piers but retain the area of hard standing. This would be at odds with the prevailing situation at the front of neighbouring properties in the street and would remove the scope to provide meaningful permanent planting at the front. This would have an urbanising effect on the appearance of the street scene.
5. Due to its siting, size, materials and appearance I therefore conclude that the proposed hardstanding would have an unacceptable effect on the character and

appearance of the host property and the street scene. The proposal therefore fails to comply with Policies DC1 and DC4 of the Hammersmith & Fulham Local Plan (2018) and the aims of the Council's Planning Guidance Supplementary Planning Document (2018) which require good design that is compatible with existing development.

6. The proposal also includes the removal of elements erected without planning permission, namely the metal posts and canopy, and the re-instatement of features removed without planning permission, namely the wall, piers and gate. These aspects of the proposal would have a neutral effect on the character and appearance of the area. As these elements are not wholly physically severable from the hardstanding a split decision allowing them is not possible. In any event, removing or re-instating works carried out without planning permission do not in themselves require planning permission.
7. I recognise that the forecourt area provides space for the storage of cycles and that cycling has environmental and well-being benefits and is supported by planning policy. However, there is nothing before me to demonstrate that adequate cycle storage cannot be provided within the curtilage of the appeal property in a way that is more compatible with the character and appearance of the area. As such, the benefits of providing cycle storage are not sufficient to outweigh the clear harm identified above.

### **Conclusion**

8. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

*S Poole*

INSPECTOR