



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

Appeal Ref: APP/H5390/D/22/3313770

7 Ellaline Road, London W6 9NZ

- 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 Ms Nicky Scott-Knight against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2021/01291/FUL, dated 19 April 2021, was refused by notice dated 5 October 2022.
 - The development proposed is described as the erection of a bin and bike store made of timber construction with sedum planting on top measuring 1.3 metres in height.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development described above has been constructed. This appeal therefore relates to an application for retrospective planning permission.

Main Issue

3. The main issue is whether the appeal scheme would preserve or enhance the character or appearance of the Crabtree Conservation Area.

Reasons

4. The appeal property is a 2-storey terrace house. It is located in the Crabtree Conservation Area (CA), the main part of which comprises speculative Victorian and Edwardian terraced houses laid out in a rectilinear street pattern with streets set out at right angles to the River Thames bisected by longer streets running parallel to the river. Whilst the detailed design of houses in the CA varies, there is a high degree of uniformity in terms of their scale, materials and relationship to the street.
5. A common feature in Ellaline Road and neighbouring streets are the front boundaries. These predominately comprise stone panels set within a brick frame with brick piers to either side of the entrance gates. Whilst these walls have been painted a range of colours, due to their materials, height and design they are a unifying original feature that make a clear positive contribution to the character and appearance of the CA. As such they are an aspect of the area to which I attach significant weight.

6. The appeal scheme comprises the removal of the original stone and brick front wall and its replacement with a refuse bin and cycle store constructed of timber with a sedum planted roof. This is taller than the wall it replaced, being similar in height to the retained brick piers to either side. In the context of a street where the vast majority of the properties retain the original front boundary walls, the appeal scheme is an entirely alien and incongruous form of development.
7. Reference has been made to a similar storage enclosure at 14 Ellaline Road. There is nothing before me to confirm this structure was granted planning permission or that it replaced an original wall. Notwithstanding this, it illustrates the clear harm that results from inappropriate front boundary designs. I note the storage structure at 2 Ellaline Road, which is set behind the original wall and is not therefore directly comparable to the appeal scheme. I also note that where properties in the street lack planting within the front gardens, refuse bins, cycle and storage units can be unsightly elements in the street scene.
8. As the appeal scheme comprises the formation of a storage structure as opposed to a means of enclosure, and it is more than 1m in height, I attribute limited weight to what may be achievable under permitted development rights.
9. For the reasons set out above, I conclude that due to its siting, size, materials and appearance the appeal scheme fails to preserve the character and appearance of the CA. It is therefore contrary to Policies DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan (2018) which, in summary, require development to be compatible with the scale and character of existing development, neighbouring properties and their setting; respect and enhance townscapes; and conserve the significance of the historic environment by protecting heritage assets. There is also conflict with the aims of Key Principles CAG2 and CAG3 of the Council's Planning Guidance Supplementary Planning Document (2018).
10. Whilst the appeal scheme fails to preserve the character and appearance of the CA, the harm to this heritage asset is less than substantial. In these circumstances Paragraph 202 of the National Planning Policy Framework (2021) requires me to weigh the harm against the public benefits of the proposal. I note that the appeal scheme would provide covered cycle storage in a convenient location and that this may encourage cycle use which has environmental and well-being benefits. However, this public benefit is not sufficient to outweigh the clear harm identified above.

Conclusion

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

S Poole

INSPECTOR