



Appeal Decision

Site visit made on 9 May 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2023.

Appeal Ref: APP/H5390/D/23/3315429

4 Steventon Road, Hammersmith & Fulham, London, W12 0SL

- 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 Sian Thomas against the decision of the London Borough of Hammersmith & Fulham.
 - The application Ref 2022/00791/FUL dated 17 March 2022, was refused by notice dated 4 November 2022.
 - The development proposed is new two storey side extension, single storey front extension, replacement of front boundary treatment and relocation of off-street parking space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the impact of the proposal upon i) the character and appearance of the host property, appeal site and nearby Old Oak and Wormholt Conservation Area and ii) neighbouring residential amenity with specific regard to increased sense of enclosure, loss of privacy and overlooking.

Reasons

Character and appearance

3. The appeal site is an infill property to the rear of 81 Sedgeford Road (no. 81). Steventon Road borders the Old Oak and Wormholt Conservation area (CA) and is a tree-lined residential street with primarily traditional semi-detached brick and pitched roof properties on the edge of the CA. The properties on the opposite side of Steventon Road are traditional, uniform, semi-detached properties, with parking to the front and have notable set back from the edge of the pavement which is wider than that on the side of the appeal site. Section 72 of the Planning (Listed Buildings in Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the CA.
4. The appeal site is already a more unusually designed property, however, the use of more traditional materials which are in-keeping with the general area as well as the overall modest massing (appropriate to the infill plot itself) means that it does not particularly stand out or result in a negative contrast to the character or appearance to the surrounding area.
5. There are multiple elements to the appeal proposal which includes the erection of a two-storey side extension with the installation of a copper-clad lantern

skylight, erection of a single storey front extension at ground floor level, replacement of a front wall with white metal railings and replacement access with a new sliding gate, removal of an existing shed and formation of a relocated parking bay with a dropped kerb, installation of a black aluminium window to replace the existing circular window to the front elevation at first floor level and the installation of a new door to replace the existing door with windows to the rear elevation at ground level.

6. The Council's refusal reason does not raise any objection to the proposed removal of the shed and the formation of the replacement parking space, subject to conditions, or other alterations to fenestration and I have no evidence to conclude differently on those elements. The loss of the existing brick front boundary would, I find, be of potential detriment to the overall appeal site, however, it would not be a refusal reason in isolation and a condition regarding replacement boundary treatment materials could have been applied had the proposal been found acceptable in other regards. The main issue, within the first refusal reason, is concerned with increased massing, over development of the appeal site as well as the proposed materials being out of context with the surrounding properties.
7. The existing dwelling is modest which is as a result of it being built within an infill plot. Such plots are, typically as a result of their nature, more constrained in terms of site area. The existing dwelling has a gross internal area of 52.7sq./m and, as a result of the proposed extensions, would be increased to 86 sq./m. This increase in floor area would equate to the extensions adding in the region of 60% to the current host dwelling. The two-storey side extension would continue the at existing roof height of the host dwelling and would not, in any way, read as a subservient addition which would be detrimental to the character and appearance of the host dwelling and the appeal site.
8. If it was not for the proposed contrasting materials the proposal would not be able to be differentiated from the original host dwelling and its legibility, and existing character, would be lost. The proposals would, therefore, add considerable scale and massing and would dominate the parent building in scale. In addition, a comparison between the existing and proposed site plans show that the proposals would, combined with the relocated parking space, result in the vast majority of the site being occupied by built form, or car parking, which further reduces general area around the property and amenity space for the appeal site. I find that the level of the development proposed is indicative of overdevelopment and proposes a property which would be overall too large for the site upon which it stands.
9. As previously outlined, the appeal site is surrounded by properties which are primarily traditional semi-detached brick and pitched roof properties. I found, at the time of my site visit, that the properties are visually consistent and generally uniform in both character and appearance. The appellant's statement of case accepts that pre-cast concrete and/or stone is not a material that is utilised locally. Whilst this should not result in proposals automatically being unacceptable it does mean that it is, in this case, harder to successfully integrate them within the character and appearance of the area.
10. Had the area, in general, been a wider mix of materials, it may have been possible to introduce more contemporary materials due to a less uniformity. This is, however, not the case with this proposal where more traditional

materials including vertical hanging tile, painted render and pebbledash are typical of surrounding properties. Whilst the proposals do seek to reference the general horizontal arrangement of materials within the area, the overall combination of basket weave texture and plain face pigmented concrete are too large a contrast within the uniformity of the area.

11. The proposed materials, in particular use of pre-cast concrete, which would be dark grey coloured, and basket weaved pattern would be a complete contrast to any material used within the vicinity of the appeal site and would form a clear contrast to the both the character (the qualities which distinguish the area) and appearance (the outward, visible qualities) of the area. Overall, whilst I can appreciate the desire to create a more contemporary style property, the proposal would, in this case, contrast too heavily with the surrounding area which, when combined with the overall proposed increase in massing and height, would create a dominant, inappropriate, and alien form of development within this area.
12. I find that the combined bulk, scale and massing as well as the materials proposed would, within the street scene of Steventon Road, visually detract from the properties on the opposite side of the road which stand within the CA. I find that this would, therefore, have less than substantial harm upon this setting of the CA. In accordance with paragraph 119 of the National Planning Policy Framework 2021, when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. For the reasons outlined above, I find the proposal would result in less than substantial harm to the setting of the CA which falls to be considered against the public benefits of the proposal. The proposal is for extensions to a private dwelling, and I have no evidence of public benefits flowing from the proposal before me to outweigh the less than substantial harm which I have identified to the setting of the CA.
13. The proposal would be contrary to London Plan 2021 (LDN) Policy HC1, which requires that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets significance and appreciation within their surroundings. The proposal would also be contrary to Hammersmith and Fulham Local Plan 2018 (LP) Policy DC1, which requires that development within the Borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. The proposal would also be contrary LP Policy DC4 which requires a high standard of design in all alterations and extensions to existing buildings which should be comparable to the scale and character of the existing development, neighbouring properties and their setting as well as being subservient and should never dominate the parent building in bulk, scale, materials or design.
14. The proposal would also be contrary to LP Policy DC8, which seeks to conserve the significance of the Borough's historic environment by protecting, restoring, and enhancing its heritage assets. These assets include CAs. Applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset and particular regard is to be given to matters of scale, height, massing, alignment, materials, and use.

Residential Amenity

15. To the East of the appeal site is no. 81. The property itself is less than 20 metres from the appeal property and faces the proposed two storey side extension. At the time of my site visit, and from the submitted plans, I note that the appeal property currently benefits from a single-storey side element which, when viewed from the neighbouring property, would only equate to around half of the depth of the appeal property. This is clearly visible within the existing drawings (side elevation). This existing side element of the appeal property has an eave height which is only marginally in excess of the boundary fencing and has a hipped roof, meaning that the ridge height slopes upwards away from no. 81. The existing side element is a modest element of the host dwelling which is limited in overall bulk, scale and massing.
16. The appeal proposal, by comparison, seeks to replace this element with a two-storey side extension. As a result of the proposed front extension and taking into account the proposed curved wall to the front of the extension, the proposal would result in two-storey development which would match the existing ridge height of the main bulk of the existing host dwelling. This would result in a large increase to bulk, scale and massing to the side of the host property given that it would both double the height, and depth, of development to the side of the host property. This would be a strongly contrasting proposal compared to the existing development in overall scale as well as materials. The proposal would result in views of a substantial pre-cast concrete/pre-cast concrete with weave pattern wall, from no. 81 and the associated garden space, which I consider to be both oppressive and un-neighbourly in terms of the residential amenity of neighbouring occupiers as a result of overall massing and height.
17. I note that there are proposed new windows at first floor level. One window, serving the wardrobe, is noted to be frameless frosted glass. This would be the main window which could potentially offer direct views over the neighbouring garden at no. 81, but I find that frosted glass would, in this case, prevent implications with regard to privacy and overlooking. Whilst the curved bedroom window at first floor level would be overlooking the revised parking space, it would still offer potential views at close, elevated, proximity into amenity space of no. 81. I find that this would have a detrimental impact on the amenity of no. 81 due to loss of privacy and overlooking, which would further contribute to the increased sense of enclosure as a result of overall massing and height.
18. I note that the appellant considers the existing eastern wall to be oppressive view from neighbouring gardens due to its unforgiving and featureless expanse of brickwork. Whilst the current wall does not offer interest from a design point of view, the overall refusal reason is not based upon design in relation to impact upon neighbours. In this case, the increased bulk, scale, and massing would result in significant additions to which are highlighted within paragraph 6.9 of the appellant's statement of case. The building would, ultimately, result in substantially larger built form being only around 8.2 metres away from no. 81. The increased sense of enclosure would be particularly notable from within the amenity area of the neighbouring property.
19. The proposal would be contrary to LP Policy HO11, which states that proposals for extensions will be only considered acceptable where it can be demonstrated

that there is no detrimental impact on privacy enjoyed by neighbours in adjoining properties, outlook from windows and adjoining properties and openness between properties.

Other Matters

20. Comments regarding the handling of the application itself, with regard to the Case Officer and Team Leader, and general delays within the application process are noted to be frustrating. They are, however, outside the scope of this appeal, which I have determined on its own merits.
21. The appellant has made reference to application reference 2019/01306/FUL (14 Old Oak Road). The proposal is stated to relate to the demolition of a detached house and garage and the erection of a replacement three-storey building comprising of six self-contained residential flats. The approved elevation provided, only shows distances between the properties in question which, whilst they may be comparable, does not offer any further information as to the location of overall amenity space or land use around the properties, windows or similar, which officers would have taken into account in the determination of that application and the application of the policies in question.
22. As a result of the very limited information provided relating to 14 Old Oak Road and the application referenced there, I am unable to draw any meaningful conclusions between the two proposals, as insufficient information has been provided to allow an understanding of the site context and the relationship between the properties in question. This would be key to understanding impacts. Each case must be considered on its own merits, and I have considered it on this basis.
23. The nationally described Space Standards (NDSS) are applicable to internal space within new dwellings. It sets out requirement for the gross internal (floor) area of new dwellings at a defined level of occupancy. The NDSS are not, therefore, designed to be applicable to house extensions. Even if I had accepted the argument that the existing house should be considered unacceptably small and poor quality, sub-standard accommodation, the proposed extension would increase the floor area to a level which then exceeds NDSS which, whilst it may improve the accommodation for occupants of the appeal site, would still be to the detriment of neighbouring properties for the reasons outlined above.

Conclusion

24. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR