



Appeal Decision

Site visit made on 16 May 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th May 2023

Appeal Ref: APP/H5390/D/23/3319943

33 Yew Tree Road, Hammersmith and Fulham, London W12 0TJ

- 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 Stathis Kaparis against the decision of the London Borough of Hammersmith and Fulham.
 - The application Ref 2022/03725/FUL, dated 26 December 2022, was refused by notice dated 28 February 2023.
 - The development proposed is described as the erection of a front porch extension.
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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 the host property and the area, including whether it would preserve or enhance the character or appearance of the Old Oak and Wormholt Conservation Area ('the OOWCA').

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing their character or appearance. The National Planning Policy Framework ('Framework') sets out that great weight should be given to the conservation of designated heritage assets, such as conservation areas, and that harm to their significance requires clear and convincing justification.
4. Policy HC1 of the London Plan 2021 ('LP') and Policies DC1 and DC8 of the Hammersmith and Fulham Local Plan 2018 ('HFLP') state that proposals affecting heritage assets should conserve or enhance their significance, and are thus broadly consistent with the Framework's approach.
5. I observed on my visit that the OOWCA is generally characterised by two storey brick terraces and semi-detached pairs of houses, which are set back from the tree-lined roads, sometimes behind areas of green space. The buildings have a simple, yet attractive, design, and display regular fenestration and brickwork detailing. There are typically modest flat-roofed canopies above their front doors. The buildings' context, form, architectural design and layout, give the OOWCA a pleasing sense of uniformity, rhythm and cohesion.

6. The host forms one half of a semi-detached pair, which is set back from a green space. Its design is typical of the area, and it has a characteristic small timber canopy above its front door.
7. The proposal would involve the replacement of that locally distinctive feature with a much larger, enclosed porch. Whilst the porch would be finished in matching materials, its form and scale would be at odds with the area's prevailing character. Notwithstanding the presence of hedgerows and trees, the harm that it would cause would be clearly apparent in the streetscene, including in views across the green space, where it would jar with the uniformity of this small, set-back group.
8. My attention has been drawn to approved porches in the area, including next to the host at No 35, along with at 39 and 40 Yew Tree Road. However, those examples, some of which are quite historic, and one of which I understand replaced an existing porch, do not reflect the area's prevailing character. The scattered presence of such features does not alter my conclusion that this scheme would fail to preserve or enhance the OOWCA's character and appearance.
9. The scheme would therefore conflict with HFLP Policy DC1 and LP Policy HC1, along with the advice at CAG2 and CAG3 of the Hammersmith and Fulham Planning Guidance Supplementary Planning Document 2018 that new development in conservation areas should be sympathetic to the architectural context and character.
10. It would also conflict with the more general stance at paragraph 130 of the Framework that development should be sympathetic to local character, and with the approach in HFLP Policy DC4 that extensions should be compatible with the scale and character of existing development, neighbouring properties, and their settings.
11. The harm to the OOWCA is a matter to which I attribute great weight, but as it would be 'less than substantial', in accordance with the Framework and HFLP Policy DC8, I am required to weigh it against any public benefits of the proposal.
12. In its favour, the proposal would provide the existing, and any future, occupants with a more convenient layout and a small amount of additional space. However, that modest benefit would be largely private, relating to the enjoyment of the house by its occupants. Thus, there are no public benefits that would outweigh the harm that I have found. Consequently, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR