



Appeal Decision

Site visit made on 6 February 2024

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 April 2024

Appeal Ref: APP/H5390/W/23/3326663

Flat Basement and Ground Floor, 56 Coningham Road, London W12 8BH

- 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 Roger Leon Central and District Investments Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2023/00593/FUL, dated 27 February 2023, was refused by notice dated 3 May 2023.
 - The development proposed is described as 'Revised scheme for part single storey and part raised ground floor rear extension.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the appeal, a new version of the National Planning Policy Framework (the Framework) was published. However, as the Framework's policy content insofar as it relates to the main issue has not been significantly changed there is no requirement for me to seek further submissions on the latest version. I am satisfied no party would be prejudiced by determining the appeal accordingly.

Main Issue

3. The main issues are whether the proposed development would preserve or enhance the character or appearance of the Coningham and Lime Grove Conservation Area and its effect on the host building.

Reasons

4. The appeal site comprises a tall mid-terraced property and its garden on Coningham Road. The building is constructed from brick with a butterfly roof behind a parapet. At the rear, the building has a lower ground floor single storey rear extension. There are numerous examples of buildings having been altered, including at the rear of the terraces on Coningham Road and Stowe Road. The grid pattern of terraces and back to back arrangement of gardens between properties allows the rear tall and simple elevations of the terraces and later additions to be appreciated within the public domain.
5. The site is within the Coningham and Lime Grove Conservation Area (CLGCA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. As noted, the CLGCA largely consists of a grid pattern of streets of mid to late 19th Century houses. Whilst clearly the attractive frontage and architectural quality of the buildings contribute to the special interest. The overall cohesive pattern of development, appearance and simple but attractive architectural character of the buildings and their relationship with each other are factors which contribute to the special architectural and historic interest, and thus the significance, of the CLGCA.
7. The proposal would involve the construction of a ground floor extension across the width of the property, with a setback upper floor above. Noting the comments within the officer report including from the Council's Urban Design and Heritage section, the main concern arising is from the full width of the first floor extension.
8. I have carefully noted the numerous examples of the rear extensions at the rear of terraces on both sides of Coningham Road and Stowe Road and their widths. These are clearly within the same context and area as the appeal site. Similarly I have had regard to the officer report from the Council¹ for a nearby development and a recent appeal decision² which also note there were a range of rear extensions of varying sizes.
9. I do not disagree with the appellant that the appearance of the rear of the terraces is not as consistent as the front facade. Nevertheless, they have not overwhelmingly eroded the character, thus the extent of the original character of the terraces are still evident.
10. It is clear there have been incremental changes to rear elevations over time. Whether or not they were constructed before or after the designation of the CLGCA, the examples provided by the appellant highlight they predominantly do not extend across the whole width of the properties at upper floors. To my mind, this is a positive attribute of the buildings and the spatial character of the CLGCA as where narrower extensions exist, they provide a clearer distinction between them and the original rear of the host building, as well as respecting the elongated form of these terraces.
11. In contrast the proposed upper floor would span the entire width of the appeal property increasing the scale and massing of the existing built form to the rear of the terrace. Although the first floor is set back and not as deep as the ground floor, nevertheless the existing stepped character of the rear of the property, would change uncharacteristically, and the original simple elongated form of the host building would be diminished. The proposed upper floor would appear high and wide and spatially it would fail to respect the original form of the host building and alter the rhythm of the terraces.
12. The proposed development would be seen against the much deeper and higher extensions in the area. In particular it would also be seen in the context of the high, but narrower rear extension of the corner property at 52 Coningham Road. Although direct views are predominantly obscured by the three/four storey closet wing of No 52, and the high wall along the back edge of the pavement, there are angled views of the rear part of the appeal site from the public realm from Scotts Road as well as neighbouring residential properties and gardens. The upper floor would also likely be visible alongside the two

¹ Council Ref: 2013/04547/FUL

² Appeal Ref: APP/H5390/A/14/2225682

storey rear addition of 54 Coningham Road due to the overall width of the host building.

13. As such whether the Coningham and Lime Grove Conservation Area Character Profile (as approved by committee in February 2000 and updated in June 2004) makes reference to the regularity of the rear building line or not it states that extensions and alterations to properties should not visibly affect their scale, rhythm and massing when seen from the street or any public space and should not be excessive additions to the properties. Such findings confirm my own misgiving about the proposal.
14. Furthermore, although the proposal maybe identical to the approved scheme at lower level, this is clearly not the case for the upper level. There is a gap between the side wall and the adjacent property, whilst I appreciate the height of the glazed screen, I am not convinced that the visual impact would be the same as it is more lightweight. Whilst there may be certain similarities with some aspects of the examples provided and I have taken account of these, including more recent and larger flatted developments, I do not find them of such similarity to afford them anything more than limited weight. In contrast they support my view that a full width upper floor in this instance would not be reflective of the local context.
15. I acknowledge Permitted Development Rights may exist for dwellinghouses, and to front boundaries. However these are subject to conditions, limitations or restrictions. Even if the proposed development could fall within these parameters there is no evidence presented that it would. In any event, the appeal property is a maisonette and permitted development rights for extensions do not apply here for this development.
16. I have considered the scheme on its own merits having regard to the site's surroundings. This leads me to conclude that the proposal would not preserve the character of the CLGCA. The proposal would result in harm to the significance of the CLGCA and to the character and appearance of the host building. The Framework requires great weight should be given to the asset's conservation, irrespective of the level of harm.
17. In accordance with the Framework, the type of harm identified with the development would be less than substantial. Although at the lower level of the spectrum it is necessary that this identified harm is weighed against the public benefits of the scheme.
18. In terms of public benefit, some economic benefits could arise from the construction process. However, the impact of the proposal would be adverse and permanent for the reasons indicated. In particular, the proposal would result in an incongruous extension at the rear. The harm to the significance of the CLGCA which would outweigh the scheme's benefits due to the small scale of the proposal.
19. Although the principle of residential extensions are not unacceptable, I conclude that the proposal would harm the character and appearance of the host building and would not preserve the character of the CLGCA. Consequently, the proposal conflicts with Policies DC1, DC4 and DC8 of the Hammersmith & Fulham Local Plan (2018) and Policy HC1 of the London Plan (2021). These policies seek, amongst other things for development to conserve heritage assets, respects and enhance its townscape context and for extensions

that are compatible with the scale and character of existing development, which are subservient to the parent building.

20. The proposal would also conflict with key Principle CAG3 of the Planning Guidance SPD (2018), which similarly requires new development to not harm the character of a conservation area.

Other Matters

21. In addition to the matters outlined above, other concerns have been raised, mainly by local residents. These include loss of daylight and sunlight to gardens, loss of outlook, loss of privacy, loss of garden, increased hard standing, cramped overdevelopment and flood risk. I have been provided with no substantiated evidence which would prompt me to disagree with the Council's conclusions in these respects. The acceptability of these aspects weigh neither for nor against the proposed development.
22. Concerns have been raised regarding how the Council considered the application. However, the Council's handling of the case has no bearing on this appeal and there is no costs application before me.

Conclusion

23. For the reasons given above, I conclude that the appeal should be dismissed.

K Williams

INSPECTOR