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# Appeal Decision

Site visit made on 8 June 2024

**by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI**  
an Inspector appointed by the Secretary of State

**Decision date: 1<sup>st</sup> July 2024**

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**Appeal Ref: APP/H5390/W/24/3340682**  
**1 Wood Lane London W12 7DP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr J Ghaswala against the decision of The London Borough of Hammersmith and Fulham.
  - The application Ref is 2023/02290/FUL .
  - The development proposed is Retention of existing shopfront comprising of window glazing, entrance doors to the front elevation and a metal roller shutter.
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. There are advertisements at the premises which the appellant indicates have approval; however that determination is not a determination of the planning merits of the works carried out. There is also commentary by the parties with regard to what previously existed and whilst such may be a material consideration in 'fallback' reasoning, what is before me to consider is whether works that have already been carried out are, taking all relevant matters into account, acceptable in planning terms. I therefore consider the main issues to be as follows:

## Main Issues

3. The Main Issues are:
  - whether the appeal site is within the setting of the Shepherd Bush Conservation Area (SBCA) and if so,
  - the effect of the development on the character and appearance of the property and of the SBCA.

## Reasons

4. The appeal site, 1 Wood Lane (No.1) together with the adjacent café, Number 3 Wood Lane occupy the ground floor of a three-storey building (1 & 3 Wood Lane) with upper floors apparently in residential use. Situated at back of pavement to Wood Lane, a busy urban street, between a substantial Public

House<sup>1</sup> and Westwood House<sup>2</sup> these buildings form part of a compact block of development at the northern edge of the Shepherd Bush Conservation Area (SBCA). The SBCA includes Shepherds Bush Green and areas of built development to the south, west and north which includes the buildings adjacent to and opposite the appeal site which also front Wood Lane including a former Territorial Drill Hall now in other uses.

5. By its immediate proximity and its prominent location, there being significant opportunities for intervisibility between the SBCA (including to a limited degree from Uxbridge Road and Shepherds Bush Green) the appeal site contributes to the experience of the SBCA as a historic urban centre. Consequently, although the appeal site lies outwith the SBCA, as a handsome Victorian building at its edge, my observations direct that 1 (& 3) Wood Lane lie(s) within the setting of the SBCA such that the works sought to be approved may impact upon the significance of this designated heritage asset.

#### *Character and appearance*

6. The shop facades<sup>3</sup> to Nos.1 and 3 Wood Lane are unique within their section of the street frontage, with solid masonry facades to ground level to buildings which complete the block of development on either side. This adds weight to their consideration with the host building as single entity in the street scene and the importance of visual consistency.
7. The appellant seeks permission to retain a frameless<sup>4</sup> glass shop window with roller shutter. This sits beneath a flat, vertical, shop fascia displaying a brightly coloured full width business name sign<sup>5</sup>. Importantly, both Nos 1 & 3 Wood Lane retain original console brackets<sup>6</sup> and pilasters at each side and between the ground floor shop windows. These are important visual elements which<sup>7</sup> frame the two shopfronts and would, in the case of the appeal site in its original form, have likely incorporated a canted fascia, under a cornice or canopy box such as that which appears to survive at No.3. These are important elements in the architectural composition of the façade which, as a whole, should seek to present a satisfactory relationship between the ground floor and the rest of the building. It is within such an assessment that this appeal falls to be considered.
8. The appellant has provided an image and drawing of the pre-existing shopfront to No.1 which has been replaced by the works subject to this appeal, showing a heavily subdivided shop window with multiple small panes and what appears to be a non-traditional stall riser which related poorly to the building as a whole. It is also apparent that a traditional cornice or canopy box was absent in the preceding installation, seemingly having been replaced by a flat sign panel with an area of unidentified building fabric similar to the stall riser.
9. Policy DC5 of the Hammersmith and Fulham Local Plan (2018) (H&FLP) requires developments to retain and restore original shopfronts with detailing

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<sup>1</sup> At the corner of Wood Lane with the Uxbridge Road and within the Shepherds Bush Conservation Area

<sup>2</sup> A building entirely in residential use.

<sup>3</sup> A 'shopfront' being the glass shopwindow, door and roller shutter as within the works here addressed together with their attendant surrounding elements at side and above.

<sup>4</sup> In the sense that there are no intermediate mullions or subdivisions

<sup>5</sup> 2023/02291/ADV

<sup>6</sup> A classically detailed cantilevered capital to a pilaster or other vertical edge feature, variously referred to as corbels, corbel brackets or consoles/console brackets

<sup>7</sup> When present would

and proportions that have an affinity with the host building. Whilst the elements of the shopfront that have been replaced were neither traditional nor original, (other than the pilasters and console brackets) the policy makes clear<sup>8</sup> that the protection of character is important to the vitality and quality of townscape and that this requires the design of the shopfront to appear, in relation the host building, as a coherent unified assembly of the various elements of which it is comprised.

10. Turning to the works sought to be approved, although No.3 incorporates an access door to upper floors (or rear), there is significant consistency, other than in colour, across both shop windows as found in that glazing is full height<sup>9</sup>, frameless with a central (frameless) glass entrance door<sup>10</sup>. As I have explained, these elements sit between residual, but likely original, pilasters and heavy console brackets which would have framed a (now largely absent) traditionally constructed shop façade with (likely canted) fascia and cornice or canopy box above.
11. The glass frontages to No.1 & No.3 are plainly non-traditional, however, their shared self-effacing frameless design would acceptably unify the presentation of the whole host building to the street if appropriately framed by a traditionally detailed elements such as those sought by Policy CAG4 of the Hammersmith and Fulham Planning Guidance SPD (2018) (PGSPD). However, the strident shades of red applied to the edge frame and shutter box (repeated in the overall scheme) and the disproportionate height of the sign panel which significantly exceeds that which preceded it or of any likely traditional/original installation, draw attention to the overall incongruity of the shopfront and its attendant elements.
12. The result fails to attend to the requirements of Policy D5 of the H&FLP and with relevant parts of the PGSPD which seek that replacement shopfronts should contribute to an understanding of the ground floor as an integral element of the host building. Consequently, although I have found little harm arises from the installation of the glass shop window of itself, its retention outwith a traditional shopfront or other appropriate architecturally sensitive treatment of the facade, cumulatively detracts from the unified appearance of the host building within the street.
13. The appellant points to a discrete positioning of the boxing which contains the roller shutter, but this does not address the impact when the shutter is extended across the full height and width of the shopfront as would be expected during closing hours of the premises. Opening hours<sup>11</sup> are not indicated but it is likely that the shutter would be in a 'down' position at times when other premises or community facilities around the appeal site would be active, noting that the area is populated by a mix of business types which are active in both day and night time economy such that there would be significant periods of time when an unrelieved shuttered façade would detract from the vibrancy of the locality and detract from the architectural integrity of the building as a whole, failing to follow guidance in the PGSPD at SD5.

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<sup>8</sup> Justification at 12.25 and following

<sup>9</sup> Other than a sole plate

<sup>10</sup> At the time of site visit

<sup>11</sup> And by inference therefore, times of closure when the shutter is likely to be in a 'down' position

14. Taken together these deficiencies conflict with the objectives of Policy D5 and, further, my conclusions direct there is significant conflict with policies DC1 and DC8 of the H&FLP and Policy CAG2 of the PGSPD which together seek that alterations respect architectural style and the inherent contribution which heritage assets make to a high quality urban environment. These factors attract significant weight having regard to the duties set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 being development of poor quality in the setting of the SBCA that harms the significance of a designated heritage asset.
15. As my reasoning explains, there is significant conflict with the relevant policies of the development plan and therefore I conclude, taking into account all matters raised, the appeal cannot succeed.

*Andrew Boughton*

INSPECTOR