



Appeal Decision

Site visit made on 19 August 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2024

Appeal Ref: APP/H5390/D/24/3344753

17 Yew Tree Road, London W12 0TJ

- 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 Stelio Di Bello against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application reference is 2024/00397/FUL.
 - The development proposed is an alteration to the already built single rear extension keeping the existing depth of 3.5m and extending it within my side garden for 8.5m roughly.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

3. The appeal property is a mainly 2-storey end terrace house that occupies a corner plot behind a communal grassed area within the Old Oak and Wormholt Conservation Area (CA). The CA contains residential estates that were constructed in the early 20th Century with cottage style brick terraces and semi-detached dwellings laid out in a planned non-linear street pattern. The buildings are largely simple in their design and arranged in groups of similar properties, which gives the CA a uniformity and cohesion, which is distinctive. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.
4. The proposal is a single storey addition that would extend outwards from the side of the existing ground floor extension at the back of No 17. Like the extension to which it would attach, the proposal would have a flat roof with external materials to match those of the main house. The new addition would be conventional in design and modest in depth and height.
5. However, the existing and new ground floor rear extensions would appear as a single entity with a combined width that would be roughly double that of the main house. In that context, the proposal could not reasonably be described as subservient to the host dwelling, which is expected of extensions and

alterations to buildings under Policy DC4 of the Hammersmith and Fulham Local Plan (LP).

6. By connecting with the existing ground floor rear projection, which extends across almost the full width of the host building, the cumulative effect of the proposal would be to overwhelm the rear and side façades of the original house. Specifically, the rectangular form of the existing and proposed rear extensions and their flat roofs would appear as an overly large 'box like' addition that would relate poorly to the modest scale and proportions of the main dwelling. The visually strong horizontal lines of the long flat roof and large glazed units would accentuate the awkward relationship between the finished ground floor rear projection and the original house, with its pitched roof slopes and the modest pattern of fenestration. The main outcome would be an unsympathetic enlargement of the appeal building with an overly large and visually dominant feature in the new rear façade that would spoil the character and appearance of the existing dwelling.
7. As the appeal scheme would be at the side of the main house, away from the road and partly shielded by existing buildings and vegetation, there would be no discernible effect on the local street scene to which No 17 belongs. The proposal would, however, form part of the character and appearance of the local area as it is experienced and appreciated from nearby buildings. From the upper rear windows of the properties that back onto the site, the proposal would draw the eye as an uncharacteristically large and discordant element within the group of which No 17 forms part and the local area. Consequently, the proposal would not preserve the character or appearance of the CA.
8. My attention has been drawn to recent decisions to approve side and rear extensions to properties in the local area with background details provided in relation to 30 Sundew Avenue. From the information before me, none appear to be directly comparable with the appeal scheme in terms of scale, design and in their relationship with the host building. Therefore, I am unable to conclude that the circumstances of these extensions are the same or very similar to those of the proposal. Therefore, I attach limited weight to these cases in support of the appeal.
9. The harm caused by the new extension would be localised and so the effect on the CA would be less than substantial. In those circumstances, the National Planning Policy Framework (the Framework) states that the harm should be weighed against any public benefits. In this case, the proposal would make an efficient use of the available land within the side garden, and the extra living space would enhance the living conditions of the appellant's family. However, these benefits would be largely private as they mainly relate to the enjoyment of the house by its occupants. No public benefits have been put forward and none would outweigh the significant harm that I have identified.
10. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. As such, it conflicts with Policy HC1 of The London Plan, LP Policies DC1, DC4 and DC8 and Key Principle CAG3 of the Council's Planning Guidance Supplementary Planning Document. Together, these policies and guidance seek to ensure that development achieves a high standard of design, is sympathetic to the architectural character of the built context, creates a high-quality urban environment, and protects the significance of heritage assets. It

is also at odds with the policies of the Framework, which note that new development should be sympathetic to local character, add to the overall quality of the area, and safeguard heritage assets such as conservation areas.

11. The Council raises additional concern that the proposal, if allowed, would set an undesirable precedent for other similar proposals to enlarge properties along Yew Tree Road that would be harmful to the character and appearance of the CA. In my experience, it is rare that direct parallels can be drawn between one site and another because local circumstances often vary. As the appellant points out, the layout of No 17 within its corner plot is unusual and it is unclear which properties would share these particular characteristics. In any event, if such proposals were to come forward at some point in the future, then each development should be assessed on its own merits. On that basis, this consideration does not weigh against the proposed development.

Conclusion

12. Nevertheless, I conclude that the proposed development would conflict with the development plan. There are no material considerations, including those of the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
13. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR