



Appeal Decision

Site visit made on 24 July 2025

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 August 2025

Appeal Ref: APP/H5390/W/25/3360848

95 Bloemfontein Road, Hammersmith and Fulham, London W12 7DA

- 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 Mostafa Ragab of Banha Enterprise Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2024/02053/FUL.
 - The development proposed is the retention of timber fence and access door over part of the flat roof of existing back addition, to the rear elevation at first floor level.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development set out above has been taken from part E of the appeal form rather than the planning application form, as that better reflects the proposal that is before me. Further, the fence and access door have been constructed as per the submitted plans. I have therefore considered the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a brick-built former public house located on the eastern side of Bloemfontein Road. The property is two storeys high, though its rear part drops down to a single storey at the rear.
5. The fence and access door are situated on top of the roof at the rear of the two-storey part of the building. They are tall and constructed from timber, which jars with the brick-built building. This means that it is a visually dominant feature to the side and rear of the appeal building despite its scale in relation to the two-storey body of the building. The fence and access door do not reflect boundary treatments in the area nor additions at the first-floor level. They are distinctly out of character with the surrounding area, and they are not a high standard of design. They cause significant harm to the character and appearance of the area, especially when viewed from Commonwealth Avenue and from part of India Way, even if they do not affect views from neighbouring properties.
6. While the appellant says that the height of the fence and gate are necessary for safety and privacy reasons, the rationale behind this stance is unclear, and there is no substantive evidence before me to warrant the fence and access gate being of the height that they are.

7. The appellant suggests that they can be modified and improved. Painting or treating them may help soften their appearance, but that would not overcome their harmful height and sitting at the first-floor level. It would still be dominant. The addition of decorative elements or screening would likely draw greater attention to the fence and access gate, and in any event, there are no details of how this could be achieved before me. Adding landscaping could soften the appearance of the fence and access gate, but there are no details of how this could be achieved, and planting cannot be required to be retained in perpetuity. Thus, there is no certainty that it would overcome the harm that I have identified.
8. I conclude that the proposal harms the character and appearance of the area, as it does not represent a high standard of design that is compatible with the character of the appeal building. The proposal dominates its host building in terms of scale, design, and materials, and for these reasons, this brings the proposal into conflict with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan (2018).

Other Matter

9. Old Oak and Wormholt Conservation Area lies to the west of the appeal site, but the appeal building does not play a role in the setting or the significance of the Conservation Area. Therefore, the proposal does not affect either, and hence, the character and appearance of the Conservation Area would be preserved.

Conclusion

10. The proposal conflicts with the development plan, and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
11. For the reasons given above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR