

Appeal Decision

Site visit made on 6 September 2016

by Caroline Jones BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21st September 2016

Appeal Ref: APP/H5390/W/16/3152273

27 Overstone Road, London, Hammersmith and Fulham W6 0AD

- 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 A Majeed against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/00775/FUL, dated 18 February 2016, was refused by notice dated 22 April 2016.
 - The development proposed is erection of a rear extension at first, second and third floor levels.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description above from the Council's decision notice and appeal form. It adequately and concisely describes the development for which planning permission is sought.

Main Issue

3. The main issues are the effect of the proposed development on firstly, the character and appearance of the host property and whether it would preserve or enhance the character or appearance of the Bradmore Conservation Area and secondly, on the living conditions of the occupiers of adjacent properties with respect to outlook.

Reasons

Character and appearance

4. The appeal property is a four storey end of terrace dwelling, converted into flats within a predominantly residential area. The appeal relates to the upper three floors. Previous alterations to the dwelling include a flat roofed three storey extension to the rear and the addition of a mansard roof. Mansard roofs are not an established feature of the immediate locality and the roof is a somewhat unsympathetic addition that disrupts the roofline of this row of terraces. The site lies within the Bradmore Conservation Area (BCA).
 5. I have not been provided with a conservation area appraisal, nevertheless I am of the opinion that the significance of the BCA lies in the architectural quality of its buildings and their contribution to the street scene.
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6. The proposal encompasses extending the existing rear extension both in depth and height to provide larger rooms within the existing flats. The extension would have a mansard roof to match the existing with a slightly lower ridgeline.
7. Due to the prominent end of terrace position, the proposed development would be clearly seen from public views on Overstone Road and from surrounding properties on Kilmarsh Road and Southerton Road. In contrast to the existing flat roof extension, the proposal, by virtue of its form, scale and mass, would result in an incongruous and disproportionate addition to the property. Despite the use of matching materials and the set down of the ridgeline, the extension would fail to appear subordinate and would diminish unacceptably the character and appearance of the host property with consequent material harm to the character and appearance of the BCA. The finding of harm to the character and appearance of a heritage asset is a consideration to which I must attach considerable importance and weight.
8. Although I have concluded that the proposal would fail to preserve or enhance the character and appearance of the BCA, given the size and scale of the proposal, the harm to the significance of the heritage asset as a whole would be less than substantial. Thus it is necessary to consider, in accordance with paragraph 134 of the National Planning Policy Framework whether there would be any public benefits to the scheme sufficient to outweigh that harm. Whilst the proposal would increase the size of the living accommodation within the flats, the public benefits of the scheme would be limited and insufficient to outweigh the harm identified.
9. Accordingly I consider that the proposed development would be contrary to Policies 7.1, 7.4 and 7.6 of the London Plan (as amended 2016), Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM G3 and DM G7 of the Hammersmith and Fulham Development Management Local Plan (2013) (DMLP). These seek, amongst other things, a high quality of design that reinforces and respects local character and context, extensions that are subservient to the original building and to protect and enhance the character, appearance and setting of conservation areas.

Living conditions

10. The flank wall of the host property is approximately 6-7 metres from the rear elevations and windows of 15 and 16 Kilmarsh Road and as such already constrains their outlook to a degree. Although the proposal would increase the depth and height of the existing extension, it would not bring it any closer to No 15 and 16. Given the existing circumstances, any impact on their outlook would not be unduly significant.
11. The proposed extension would be set in from the common boundary with 29 Overstone Road allowing a small separation distance to the neighbouring window at this property. The proposed extension would be sufficiently separated from this window and of a depth that would not in my opinion be overbearing to the occupiers of No 29.
12. I therefore conclude that the proposed development would not materially harm the living conditions of occupiers of neighbouring properties and find no conflict therefore with Policies DM A9 and DM G3 of the DMLP which seek, amongst other things to protect residential amenity.

Other Matters

13. I have had regard to the extensions and permissions granted at 13, 14 and 17 Kilmarsh Road. I am not aware of the circumstances which led to the grant of planning permission at No 13 and 14 and can therefore give little weight to these examples. With regard to No 17, whilst a mansard roof is proposed, I agree with the Council that the proposal differs in both design, mass and scale to the appeal scheme. In any case, I am required to determine the appeal on its own merits.

Conclusion

14. For the reasons given above and taking all other matters into account I conclude that the appeal should be dismissed.

Caroline Jones

INSPECTOR