

Appeal Decision

Site visit made on 3 January 2017

by Helen Cassini BSc(Hons) DipTP MRTPI

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

Decision date: 23 January 2017

Appeal Ref: APP/H5390/D/16/3160866
36 Greswell Street, London SW6 6PP

- 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 & Mrs Kicks against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/03788/FUL, dated 22 August 2016, was refused by notice dated 10 October 2016.
 - The development proposed is the erection of a front mansard and rear extension at second floor level with dormer windows to front and to the side and rear of rear extension. Installation of two no. flat rooflights in existing flat roof at second floor roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council raised no objection to the proposed rear extension. Based on the evidence before me, and from my observations, I consider that the proposed rear extension would be a complementary addition to the existing dwelling. Against this, I therefore find that the main issue of the appeal is whether the proposed front mansard would preserve or enhance the character or appearance of the Crabtree Conservation Area (the CA).

Reasons

3. Due to the proposed location of the site in the CA, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework).
 4. The Crabtree Conservation Area Character Profile 2001 describes the significant characteristic of the CA as being the essentially residential nature of the area, the terraced dwellings with bay windows, together with gable features which are seen to be important in defining the uniformed rhythm of the streets.
 5. Design Policy 32 of the Hammersmith and Fulham Council Planning Guidance Supplementary Planning Document 2013 (the SPD) advises that front extensions are generally considered unacceptable and will only be approved if the property is within a terrace that has been significantly impaired by front roof extensions.
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6. I accept that the dwellings at No 38 and No 30, which are located within the same terrace, both have second storey front dormers. Furthermore, taking in to consideration both the proposal before me and the two appeals for similar developments at the neighbouring dwellings at Nos 34 and 32, the proposals would result in 'infilling' between the existing front dormers.
7. Nevertheless, of the 41 properties within Greswell Street, only 4 have front roof extensions. I therefore consider that Greswell Street remains largely unaffected by development.
8. As a result of the scale and massing of the proposal, a top-heavy appearance would be created which would detract from the presently well-balanced appearance of the appeal site. The proposal would therefore appear as an incongruous form of development and would materially erode the overall balance of the wider street scene and as such would fail to complement the appearance of the appeal site. Furthermore it would undermine the architectural integrity of the wider terrace and would be incompatible with the special characteristics of the CA.
9. The harm that I have found to the character of the CA would, in the context of the paragraph 134 of the Framework, amount to less than substantial harm. However, it is clear from local planning policies that any development within the CA should not be at the expense of the character and appearance of the area. Policy DM G7 of the Hammersmith and Fulham Development Management Local Plan 2013 (the LP) reflects the duty¹ requiring special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
10. Although the appeal scheme would lead to less than substantial harm to the significance of the CA there is no claimed public benefit arising from the proposal to weigh against this harm. This less than substantial harm to a designated heritage asset also does not amount to a less than substantial planning objection.
11. My attention has also been drawn to examples of dwellings within the surrounding streets which have front mansards. However, I have no information relating to the particular circumstances of these developments. Furthermore rather than providing justification for the development in question, if anything, the presence of these examples point to a need for such proposals to be carefully controlled if the character and appearance of the CA is to continue to be safeguarded. As such, a comparison is of limited relevance in this instance and I have considered the appeal before me on its individual planning merits.
12. I have also considered the Council's argument that the proposal would set a precedent for other similar development within the immediate locality. Whilst each application and appeal must be treated on its individual merits, I can appreciate the Council's concern that the approval of this proposal could be used in support of such similar schemes. Allowing this appeal would make it more difficult to resist future planning applications for similar developments and I consider that their cumulative effect would exacerbate the harm which I have described above.

¹ Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. Taking the above matters into account, this particular proposal would detract from the character and quality of the terrace to which it belongs and would therefore fail to preserve or enhance the CA. As such, the proposal is contrary to the design and protection of heritage asset aims of Policy BE1 of the Hammersmith and Fulham Council Core Strategy Local Development Framework 2011, Policies DM G3 and DM G7 of the LP and Policies 31 and 32 of the SPD.

Conclusion

14. For the above reasons, and having regards to all other matters raised, I conclude that the appeal should be dismissed.

Helen Cassini

INSPECTOR