
Appeal Decision

Site visit made on 31 January 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 15 February 2017

Appeal Ref: APP/H5390/D/16/3156462

Camellia Cottage, 1A Ceylon Road, Hammersmith and Fulham, London W14 0PZ

- 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 Ms Olga Zhardan against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2016/01317/FUL, dated 21 March 2016, was refused by notice dated 26 July 2016.
 - The development proposed is a roof extension over an existing rear addition.
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Decision

1. The appeal is allowed and planning permission is granted for a roof extension over an existing rear addition at Camellia Cottage, 1A Ceylon Road, Hammersmith and Fulham, London W14 0PZ in accordance with the terms of the application, Ref 2016/01317/FUL, dated 21 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 075.103 P2, 075.104 P2, 075.111 P2, 075.121 P2, 075.122 P2, and 075.123 P2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are:
 - Whether the proposal would preserve or enhance the character or appearance of the Lakeside/Sinclair/Blythe Road Conservation Area.
 - The effect of the proposal on the living conditions of the occupiers of 1 Ceylon Road with particular regard to light and outlook.

Reasons

Conservation Area

3. The appeal property is a two-storey, terraced dwelling located within the Lakeside/Sinclair/Blyth Road Conservation Area (LSBRCA). The LSBRCA is
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predominately characterised by residential properties set in tightly knit patterns of long terraced streets which have a particular rhythm in their design and form. Given the tightly knit grain, there is little visibility of the rear of properties from within the public realm.

4. The appeal property forms part of a small terrace of three, brick built properties at the southern end of the larger terrace of Ceylon Road. The properties are notably distinct from the remainder of the terrace through their elevational treatment and roof design with a uniform appearance in their use of stucco decoration to the bay windows and floating cornices above recessed doorways. To that end, the property makes a positive contribution to the significance of the LSBRCA, which is largely derived from the pattern of attractive avenues of important historical value.
5. It is proposed to erect a rear extension at second floor level, above the existing two storey outrigger of the appeal property and relocate the existing dormer window within the rear roof slope. I note that the extension would increase the amount of built form on the rear of the property. However, the extension would be set back 1m from the rear wall of the existing two storey outrigger, would have a sloping, mansard style roof and would be constructed in materials to match the existing dwelling.
6. Moreover, whilst it would not reflect the roof design of the adjacent property, 1 Ceylon Road, the three properties, 1A-1C Ceylon Road, are notably distinct from the remainder of the terrace through their elevational treatment and roof design. The proposal would broadly reflect the scale and design of the existing second floor extensions at the adjacent properties 1B and 1C Ceylon Road, resulting in a pleasing symmetry to the upper floor rear elevations of the terrace. As a result, the extension would not result in an overly dominant or incongruous addition to the rear of the property nor would it disrupt the symmetry of the terrace.
7. The proposal would not be widely visible from Ceylon Road. It would be possible to view the extension from Faroe Road. However, such views would be significantly limited by the buildings on Faroe Road and the garages to the rear of the appeal property. Furthermore, the extension would be read in those views alongside the existing additions at No 1B and No 1C.
8. I conclude, therefore, that the proposal would preserve the character and appearance of the Lakeside/Sinclair/Blythe Road Conservation Area. It would, as such, accord with Policy BE1 of the Hammersmith and Fulham Local Development Framework Core Strategy 2011 which states that development should protect and enhance the character, appearance and setting of the Borough's conservation areas. It would also accord with Policies DM G3 and DM G7 of the Hammersmith and Fulham Development Management Local Plan 2013 (DMLP) which state that extensions should be of a high standard of design and that the Council will aim to protect, restore or enhance the quality, character, appearance and setting of the Borough's conservation areas.

Living Conditions

9. The adjacent property, 1 Ceylon Road, has a first floor window in the rear elevation which it is indicated serves a bedroom. The window currently has an outlook towards the properties to the rear on Faroe Road. That outlook is

- partially obscured by the rear two-storey outrigger of the appeal property which projects along the common boundary with No 1.
10. The proposed addition would extend within a 45 degree angle taken from the centre of the first floor window of No 1. Housing Policy 7 (iii) of the Council's Planning Guidance Supplementary Planning Document 2013 (PGSPD) states that the outlook from any rear window of a habitable room in the main part of the building should not be significantly worsened as a result of any proposed extension built at a level higher than the level of the floor containing the affected window. It further states that the angle of unobstructed visibility should not be reduced by more than 15%.
 11. The existing visibility from the neighbouring window is significantly obscured at present by the existing rear outrigger at the appeal property. Whilst the proposed extension would be a floor higher, taking into account Figure 3 from Housing Policy 7 of the PGSPD, the extension would be above the existing back addition and would be set back from the rear wall of the outrigger by 1m. It would not therefore reduce the existing unobstructed visibility from the first floor window at No 1 by more than 15%.
 12. Moreover, Housing Policy 7 (iii) of the PGSPD goes on to state that where no rear addition currently exists at the level of the proposed extension, as is the case here, then on-site judgement will be the determining factor in assessing the effect which the extension will have on the amenities of neighbouring properties. Whilst the proposed extension would be visible from the first floor window of No 1, the occupants would retain an outlook down the rear garden and towards the properties on Faroe Road. In addition, the extension would be set back from the rear elevation of the existing outrigger by around 1m. This would reduce the scale of built form visible from the neighbouring window. As a result, I am satisfied, on the evidence before me, that the proposal would not result in a significantly increased sense of enclosure for the adjacent residents at No 1 nor would it appear unduly overbearing or dominant in their outlook.
 13. I recognise that no assessment has been provided to determine the impact on the first floor window of No 1 in line with Site Layout Planning for Daylight and Sunlight published by the BRE Trust (2011). I also note that the adjacent property No 1 is located to the north of the appeal property. Nevertheless, the existing levels of daylight received by the first floor window, and indeed the second floor window of No 1, are likely compromised to some extent by the existing outrigger at the appeal property. Furthermore, the proposed extension would be limited in its height and depth, being set back from the rear wall of the outrigger. I disagree with the adjoining neighbour that its projection would be 'significant'. Consequently, the proposal would be unlikely to significantly reduce the existing levels of light to the neighbouring upper floor windows to a harmful level. For the same reasons, I am satisfied that the proposal would not unduly affect light to the ground floor single storey extension at No 1 which contains a kitchen.
 14. I conclude, therefore, that the proposal would not have a harmful effect on the living conditions of the occupiers of 1 Ceylon Road with particular regard to outlook and light. As such, the proposal would accord with Policies DM A9 and DM G3 of the DMLP which state that extensions will be acceptable where there is no detrimental impact on daylight and sunlight in adjoining properties, on the outlook from windows in adjoining properties and that the proposal has

taken into account good neighbourliness. The proposal would also accord with the guidance set out in Housing Policies 7 and 8 of the PGSPD. Finally it would adhere to paragraph 17 of the National Planning Policy Framework which states that proposals should seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

15. I have had regard to the concerns of the adjoining residents at 1B Ceylon Road. However, no windows are proposed in the side elevation of the extension and as such, I am satisfied it would not result in any significant loss of privacy for those residents. Moreover, the elevation facing No 1B would pitch away from the adjoining property, preventing any significant effect on the outlook from neighbouring windows.

Conditions

16. In addition to the standard time limit condition (1), I consider a condition relating to the approved plans necessary to provide certainty (2). A condition relating to matching materials is necessary to protect the character and appearance of the LSBRCA (3). I see no reason, however, why a condition requiring the rear face of the extension to be finished in slate is necessary given the requirement for matching materials.
17. The Council has provided little justification as to why a condition restricting alterations to the roof of the property for the use as a terrace or the installation of railings is necessary to make the proposal acceptable. Moreover, the construction or provision of a balcony would likely require planning permission in its own right given the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
18. There are no indications that any plumbing, extract flues or pipes would be installed on the front elevation of the property as part of the proposal. As such a condition restricting their installation would not be directly related to the development or necessary to make it acceptable in planning terms. Furthermore, there is no indication that the party walls of the extension would project more than 250mm above or beyond the external faces of the main roof structures. As condition 2 would require the development to be carried out in accordance with the approved plans, such a condition would not be necessary.

Conclusion

19. For the reasons given above I conclude that the appeal should be allowed.

Jason Whitfield

INSPECTOR