

Appeal Decision

Site visit made on 17 January 2017

by Jane Miles BA (Hons) DipTP MRTPI

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

Decision date: 21 February 2017

Appeal Ref: APP/H5390/D/16/3163982

14 Kenyon Street, London SW6 6LD

- 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 Rishi Bhari against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application ref: 2016/04058/FUL, dated 13 September 2016, was refused by notice dated 9 November 2016.
 - The development proposed is the erection of a first floor extension to the rear of the property.
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Decision

1. The appeal is dismissed.

Reasons

2. The **first main issue** in this appeal is the effect of the proposed extension on the character and appearance of the existing property and its surroundings in the Crabtree Conservation Area (CA).
3. No. 14 is a terraced property in a street of similar terraces with a high degree of uniformity in their form and features. Although that is most notable in the front elevations it also applies at the rear, in the characteristic form of projecting two storey rear wings in pairs, each narrower in width than the main part of each property. Those historic forms are generally still evident despite later alterations and rear extensions at many properties. The age, style and form of the terraces as a whole, and not just those parts which are visible from public viewpoints, are key elements of the CA's character and appearance and its significance as a heritage asset.
4. Like many of its neighbours and similar properties in Langthorne Street across gardens to the north, no. 14 has already been extended at the rear. It has a rear mansard roof extension and a large side-facing dormer on part of the rear wing's roofslope. A single storey extension wraps around that wing, extending built form across the full plot width¹ and down the garden. Even so, the cumulative effect of the existing extensions does not detract from the historic and characteristic form of the main terrace and projecting wing.
5. The first floor addition now proposed would be a continuation of the projecting rear wing in terms of its width, and it would sit on top of the flat-roofed part of the single storey rear extension. It would however be a flat-roofed box form perched at first floor level, in timber and slates. As such it would detract from

¹ Except for a small open space directly in front of the rear-facing ground floor window in the main rear wall

rather than reflect the characteristic forms, style and elevational treatment of the existing property or others in the vicinity². It would stand out as a highly incongruous feature that would harm the character and appearance of the existing building, the terrace and the CA. I find that to be the case even though it would sit below the existing roof level and despite the proposed use of slate to match existing roofs.

6. I therefore conclude the proposed extension would neither respect local context and character nor amount to the high quality design that development plan policies³ seek to achieve. It would not preserve the CA's character or appearance. In the context of the *National Planning Policy Framework* the harm it would cause to the CA's significance as a heritage asset would be less than substantial. Nonetheless there would be some harm, without any readily identifiable public benefits to weigh against that harm. In these respects the proposal would conflict with the development plan and with the *Framework*.
7. The **second main issue** is the effect of the proposed extension on living conditions at neighbouring properties, principally in terms of light and outlook at no. 12 Kenyon Street.
8. No. 12 is a handed version of no. 14, on its north-east side. Most of its windows (at ground, first floor and roof levels) are rear-facing, apart from skylights in a side infill extension. The Council officers' report refers to an adverse impact on light to and outlook from "the rear window at ground floor level" (my emphasis) but in fact there are two rear-facing ground floor windows. However light to and outlook from the window in the main part of the building is already seriously restricted by no. 12's own side infill extension and the similar one at no. 14. Bearing in mind also the orientation of the properties and the proposed extension's flat-roof form, the proposal would not worsen this existing situation to any significant degree.
9. The other rear-facing ground floor window, in the projecting wing, is a wide and full-height opening that will maximise light into and outlook from that part of the building. Therefore, taking account also of the lateral separation from the proposed extension and, again, the orientation of the two properties, the proposal would not unacceptably diminish light to or outlook from larger rear-facing ground floor window at no. 12.
10. Separation distances from properties to the rear and the extent of existing inter-visibility across rear gardens is such that the proposed extension would not materially increase overlooking or reduce privacy in those properties. Overall therefore, having taken account also of policies relating to residential amenity in the Council's Supplementary Planning Document (2013), I conclude the appeal proposal would not harm living conditions at neighbouring properties and there would be no conflict in this respect with DMLP Policies DM G3 and DM A9. However neither my conclusions on this second main issue nor any other matter raised is sufficient to outweigh my conclusions on the first main issue and thus the appeal must fail.

Jane Miles

INSPECTOR

² None of the permitted extensions highlighted by the appellant (at nos. 8, 50 & 62 Kenyon Street) appears to be comparable with the appeal proposal in terms of flat-roofed form and elevational treatment

³ Most notably Policy BE1 of the Council's Core Strategy (CS) (2011) and Policies DM G3 and DM G7 of the Development Management Local Plan (DMLP) (2013)