

Appeal Decision

Site visit made on 20 June 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 11th July 2017

Appeal Ref: APP/H5390/D/17/3174474
60 Burnthwaite Road, London, SW6 5BG

- 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 William Shiang against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2017/00461/FUL dated 6 February 2017 was refused by notice dated 16 March 2017.
 - The development proposed is the erection of an extension to the roof of the back addition at second floor level.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (1) the character and appearance of the host property and the area, and (2) the living conditions of neighbouring occupiers with regard to outlook.

Reasons

Character and Appearance

3. The appeal site is a mid-terrace property situated in a predominantly residential area. Although there is variation in the built form of the area with purpose built blocks of flats situated to the rear of the appeal site, the terraces along Burnthwaite Road have consistent features such as regular ground floor bay windows to the front and decorative detailing around front doors which are arranged as pairs. These and other characteristics, such as the low front boundary walls, give the area a cohesive and pleasant residential character.
 4. The proposal includes the erection of a roof extension at second floor level, on the rear addition to the property. This would entail the removal of the existing rear roof addition. I appreciate the proposal has been designed with a mansard form that would integrate with the mansard to the rear of the main dwelling. It would also have a 70-degree angle on two elevations with the foot of each slope set behind the parapet walls. However, as it would extend across most of the roof area of the rear addition, I do not consider that it would be subservient to
-

the host building and its mass and scale would result in it having an incongruous appearance.

5. Reference has also been made to a permission already granted by the Council on the appeal site where a mansard roof extension would have extended to half the length of the back addition. The appellant states that limiting extensions to half of the back addition in this way has no basis in the LPA's planning policies or standards. Whilst I acknowledge that each application should be considered on its own merits, in this instance, the proposal would occupy most of the roof of the rear addition. The proposed roof extension at the rear would not be visible from Burnthwaite Road, but its positioning at a high level on the building, would result in it being clearly seen from properties on Lancaster Court where it would have a harmful visual impact.
6. I therefore conclude that the proposal would have an unacceptable harmful impact on the character and appearance of the host property and the area. It would be contrary to Policy BE1 of the Council's Core Strategy and Policy DM G3 of the Development Management Local Plan (Local Plan), which seek, amongst other matters, the highest quality of design and proposals that are compatible with the scale and character of existing development. It would also be contrary to the National Planning Policy Framework which states that permission should be refused for development of a poor design.

Living Conditions

7. The Council have raised concerns that the proposal would result in the loss of outlook and an increased sense of enclosure for neighbouring occupiers at No. 58 Burnthwaite Road. The Council have not specified which window(s) would be affected but the nearest rear facing windows are situated at first floor and roof levels of this neighbouring property. Reference has been made to the proposal being contrary to *Planning Guidance* Supplementary Planning Document (SPD), which requires that no more than 15% of the outlook should be reduced from an extension built at a higher level than the level of the floor containing the neighbouring property's window. It is stated that the proposal would result in a 33% reduction in outlook, which is not disputed by the appellant. However, I note the proposal would result in the removal of the privacy screen which runs along the length of the side wall closest to No. 58. The rear facing windows on this neighbouring property also have a relatively open aspect beyond the rear additions, given the distant to properties on Lancaster Court. Whilst I acknowledge the size of the proposal, I don't consider in this instance, that there would be any undue sense of enclosure or unacceptable overbearing impact arising from the proposal.
8. As such, I conclude there would not be an unacceptable adverse effect on the living conditions of the adjoining occupiers regarding outlook and there would therefore be no conflict with Policies DM G3 and DM A9 of the Local Plan, which seek, amongst other matters, for developments to protect existing residential amenities. Whilst the proposal would be contrary to a certain standard set out in the SPD, it would not conflict with the SPD's aims of protecting the amenities of neighbouring residents.

Conclusion

9. I have found in the appellant's favour in relation to the issue of living conditions. However, I conclude that the appeal proposal would be unacceptable in relation to the impact character and appearance of the host property and the area.
10. For the reasons given above and having considered all other matters raised, including the planning history of the site, lack of responses to the public consultation and that the site is not listed or in a conservation area, the appeal should be dismissed.

F Rafiq

INSPECTOR