
Appeal Decision

Site visit made on 8 August 2017

by Rachael A Bust BSc (Hons) MA MSc LLM MEnvSci MInstLM MCMI MRTPI

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

Decision date: 30 August 2017

Appeal Ref: APP/H5390/W/17/3174721

Flat 3, 172 Wandsworth Bridge Road, London SW6 2UQ

- 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 P S Phillips against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2017/00295/FUL, dated 25 January 2017, was refused by notice dated 23 March 2017.
 - The development proposed is the erection of a 1800mm high obscured glazed screen around the flat roof of the two storey back addition at second floor level, in connection with its use as a roof terrace.
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Decision

1. The appeal is dismissed.

Preliminary and Procedural Matters

2. The existing second floor plan (drawing number 727-260) illustrates a bathroom extension as being immediately adjacent to the flat roof. From my site visit I noted that this room was a bedroom with a door providing access onto the flat roof. There were 2 small lights on the southern parapet wall and the flat roof had been surfaced with a light coloured tactile material. This evidence suggests that the use of the flat roof as a terrace may have already commenced. I have therefore determined this appeal on that basis.

Main Issues

3. The main issues are the effect of the proposal on:
 - The character and appearance of the host property and the surrounding properties on Wandsworth Bridge Road, having particular regard to whether it would preserve or enhance the character or appearance of the Hurlingham Conservation Area No 4; and
 - the living conditions of the occupiers of the adjoining property, No 170 Wandsworth Bridge Road, with particular regard to outlook, privacy and noise and disturbance.

Reasons

Character and Appearance

4. No 172 Wandsworth Bridge Road is a 3-storey mid-terrace property. It has been sub-divided into self-contained residential flats with a commercial unit at

ground floor level. The appeal property is Flat No 3 at the second floor level. The rear elevations of the properties within this section of Wandsworth Bridge Road have seen some degree of change. However the various alterations and extensions have not substantially altered the general symmetry and rhythm of the back additions and roofscapes which form part of the original character and appearance of the terrace. The appeal site is within, and therefore contributes to the Hurlingham Conservation Area No 4 (HCA). The significance of the HCA is characterised by the uniform pattern of development and the massing and rhythm of the buildings.

5. To the rear of No 172 are two longer terraces, Beltran Road and Ashcombe Street, running approximately perpendicular to Wandsworth Bridge Road and outside the HCA. The rear elevation of No 172 is highly visible from the rear gardens of the properties on Beltran Road and Ashcombe Street. Views of the rear elevation of the appeal property and its neighbours can also be seen from the public realm on the same 2 streets.
6. The existing flat roof area is already partially enclosed. The internally cream rendered square parapet forms the southern boundary, adjoining No 174 Wandsworth Road, and a triangular shaped parapet forms the western boundary and rear edge of the second floor extension. The northern side is completely open.
7. The proposed development seeks to enclose the whole flat roof area with a 1.8 metre high obscure glazed screen on the western and northern boundaries to enable its use as a roof terrace. The glazed screening would be flush with the northern edge of the terrace. Due to the presence of the existing second floor rear extension, the proposed roof terrace would cover the remaining depth of the two-storey back addition.
8. The northern side of the screen would be wholly visible from the first and second floor windows of the neighbouring property at No 170. Given the elevated location of the terrace and the proposed height of the screen, the development would also be visible from the public realm on nearby Beltran Road. It would be possible to see the terrace from Ashcombe Street and it would be prominent from the rear gardens of the nearest properties on Beltran Road and Ashcombe Street.
9. The size and position of the screen would add to the overall scale and mass of the existing building. It would not therefore be subservient to the host property. Consequently, it would harm the massing and design of the host property and the surrounding properties. This harm would be compounded by the use of the obscure glazing which is a smooth and modern material. It would be visually intrusive and detract from the traditional brick and slate materials used on the rear elevations of both the host property and this section of the Wandsworth Bridge Road terrace. The traditional materials make an important contribution to the overall character and appearance of the HCA.
10. I find that harm to the HCA arises from the visual impact and prominence of the obscured glazed screen. This would result in less than substantial harm to the HCA. I have had regard to the statutory duty set out in s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 134 of the Planning Policy Framework (the Framework) advises that any harm to a designated heritage asset, which is less than substantial, must be weighed against the public benefit of the proposal. Whilst the roof terrace would be of

benefit to the appellant insofar as it provides outdoor amenity space, no public benefits have been identified. As such the harm identified would not be outweighed by any public benefits.

11. I conclude that the appeal proposal would harm the character and appearance of the host property and the surrounding properties on Wandsworth Bridge Road. Furthermore, it would fail to preserve or enhance the character and appearance of the HCA. Accordingly, it is in conflict with Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) which requires, amongst other things, that new development respects local context and character. It would also conflict with Policies DM G3 and DM G7 of the Development Management Local Plan (2013) (DMLP) which are supplemented by SPD Design Policies 31 and 34 of the Planning Guidance Supplementary Planning Document (2013) (PGSPD). When taken together, these policies and guidance seek, amongst other things, a high quality of design and development which respects and enhances its townscape context and heritage assets.
12. I have been referred to other extensions and alterations within Wandsworth Bridge Road and the wider area. I did view these on my site visit. I have no evidence before me to indicate whether they are lawful; indeed the Council state that there are no planning permissions on record. Consequently I can give these developments very limited weight in my determination of this appeal. Moreover, a number of them do not constitute examples of good development in a Conservation Area and do not therefore justify the proposal before me.
13. I have also been referred to extracts from two appeal decisions within the Council area, namely 70a New Kings Road¹ and 351 Fulham Palace Road². However, I have not been provided with the complete appeal decisions or sufficient details of both schemes to assess their similarity to the appeal proposal. Furthermore, neither are within the immediate vicinity of Wandsworth Bridge Road or within the same Conservation Area. In any event, I am required to determine each case on its own merits.

Living conditions

14. The proposal would be visible from No 170 Wandsworth Road through a number of windows on the rear elevation of the main building at first and second floor levels. I have no details before me regarding the internal arrangement of No 170. One medium sized window in the rear elevation of the main building positioned slightly below the level of the proposed roof terrace would be the most affected.
15. The height and position of the glazed screen and the elevated siting of the terrace together with the second floor extension to No 172 would result in an overall bulk and massing of development which I find to be harmful. This would lead to an unacceptable loss of outlook thereby harming the living conditions of the occupiers of No 170.
16. The 2 windows within the southern side elevation of the back addition of No 170 are obscure glazed, so there would be no loss of outlook from these openings as a result of the proposal.

¹ APP/H5390/W/15/3011368 dated 9 January 2015

² APP/H5390/W/16/3165014 dated 22 September 2016

17. Some noise is to be expected in residential areas like this; however the restricted size of the terrace would not facilitate gatherings that would generate undue noise. The screen is high enough to preclude overlooking of surrounding houses and gardens.
18. Accordingly the appeal proposal would conflict with Policy DM A9 of the DMLP, which requires, amongst other things, that new development does not have a detrimental impact on the outlook from windows in adjoining properties. This policy is supported by SPD Housing Policy 7 (criterion iii) of the PGSPD.

Other Matters

19. The appellant suggests that roof terraces substantially improve the amenities of residential occupiers. I acknowledge the point; however, the size of the flat roof area is 9 square metres according to the appeal form. It is consequently a very small proportion of the existing floor area for Flat 3, stated as being 104.72 square metres on the application form. As such I do not find that this would be a compelling enough reason to allow this appeal.

Conclusion

20. For the reasons given, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Rachael A Bust

INSPECTOR