



Appeal Decision

Site visit made on 16 September 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2019

Appeal Ref: APP/H5390/D/19/3232958

215 Du Cane Road, London W12 0BL

- 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 R Moore against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2019/01387/FUL, dated 30 April 2019, was refused by notice dated 4 July 2019.
 - The development proposed is described as roof extension following rear dormer and front and rear roof windows.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant considers that the installation of the rooflights would be permitted development and that therefore, they should not have been considered by the Council. However, the rooflights were included in the application for planning permission and the Council was therefore within its rights to express its views on the merits of this part of the proposal, whether or not planning permission would be specifically required for them. Similarly, although I will take into account the fall-back position of the possibility of the rooflights being installed under permitted development rights, I am also required to consider the planning merits of this aspect of the proposals, as part of the overall scheme that is before me.

Main Issue

3. The main issue is whether the proposals would preserve or enhance the character or appearance of the Old Oak and Wormholt Conservation Area.

Reasons

4. The appeal site lies within the Old Oak and Wormholt Conservation Area (CA), which from the information before me and my own observations during my site visit, derives its significance from the consistent groups of "cottage-style" properties, which are laid out in a garden suburb style. The uniformity between the individual properties that comprise each separate building group are a distinctive and attractive character of the area. This includes symmetrical buildings with unaltered roofs, or with repeated original features such as projecting gables, or small hipped front dormers, which contribute to a cohesive character.

5. The appeal property is typical of this character. It is a two storey end-of-terrace house located at the junction with Hilary Road. Both ends of the terrace are canted inwards in a symmetrical form. There are no dormers to the front or rear of this terrace. Whilst I note the presence of solar panels to the rear of No 211, they are of a low profile, and sit parallel to the roof slope. Moreover, they are affixed to the roof, rather than a permanent alteration. Accordingly, they have not significantly compromised the architectural integrity of the terrace and the uniformity of its roofscape. Although it is not listed, this prominent and largely unaltered symmetrical building makes a positive contribution to the CA.
6. The proposed rear dormer would be some 2.3m wide and 2m high, with a flat roof. Even though it would be set in from the eaves, ridge and sides, its size and boxy proportions would nevertheless cause significant disruption to the rear roofscape, where no such features exist. As such, notwithstanding the use of complementary roof materials, it would draw attention to itself and appear as an incongruous addition relative to the existing roof and uniform character of the building as a whole. Consequently, it would not be a sympathetic addition to the property.
7. The harmful relationship of the dormer to the existing roofscape would not be a negligible impact and would be visible from Hilary Road and from certain public vantage points within the immediate locality. It would also be readily visible from the rear gardens of surrounding properties.
8. In support of the appeal, the appellant referred me to existing dormers at 237 and 247 Du Cane Road, but I am not aware of the planning status or circumstances which led to their existence. Furthermore, they are in the minority and are not viewed in the same context as the appeal site, such that they do not exercise any significant influence on the character and appearance of the area surrounding the appeal site.
9. My attention was also drawn to planning permission for rear dormers at 255 Du Cane Road, which was granted by the Council in 2017. I note from the Council's delegated report that the planning officer considered the presence of "*several dormers near the site*" and "*no public vantage points*" to be significant factors in the assessment of that case. However, for the reasons above, the circumstances are not directly comparable to the proposal before me. In any case, I am required to consider the appeal proposal on its own individual merits, which is the approach that I have taken in determining this appeal.
10. In respect of the rooflights, there are no rooflights on the existing building and few examples of similar insertions in the vicinity, such that where they do exist, they are in the minority. I am not aware of the planning status or circumstances that led to the existence of the three rooflights to the rear of No 221, but as they are at the rear and towards the middle of that terrace, they are not directly comparable to the proposal before me. The proposed rooflights would be visible in public vantage points from Du Cane Road and Hilary Road, and even though they would be a 'conservation-type', they would nevertheless detract from the unspoiled roof slopes they would be sited within and disrupt the uniformity of the terrace. As such, they would be incongruous additions that would be harmful to the character and appearance of the property and to the terrace as a whole.
11. Although it may be possible for these elements of the proposal to be carried out under permitted development rights, they are nonetheless an integral part

of the loft conversion scheme, and without the dormer window, it is possible that there would be no need for them. As previously explained, the planning merits of the rooflights can be considered in the context of the whole proposal and I find that, together with the dormer, they would be harmful to the character and appearance of the host property and surrounding area. This would weaken the positive contribution that the building makes to the CA.

12. For all these reasons, I conclude that the proposals would fail to preserve or enhance the character or appearance of the CA, thereby causing harm to its significance as a heritage asset. This is contrary to Policies 7.4 and 7.6 of the London Plan (2016), Policies DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan (2018), together with guidance in the Hammersmith and Fulham Planning Guidance Supplementary Planning Document (2018). When considered together, these seek to ensure that new development is of high quality design which preserves or enhances the historic significance of designated heritage assets, including Conservation Areas.
13. This harm to the CA as a designated heritage asset would be 'less than substantial' in the terms of paragraph 196 of the National Planning Policy Framework (the Framework) and is therefore required to be weighed against the public benefits of the scheme.
14. It has been put to me that the proposals would fulfil the optimal viable use of the property as a larger family home. However, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence. Nor would its harmful extension constitute securing the optimal viable use of the building's contribution to the CA. Any benefit to family housing provision would be very limited, given the quantum of development, and not sufficient to outweigh the significant harm that I have identified above.

Other Matters

15. I note the appellant's points regarding the absence of harm to living conditions of neighbours and that there were no objections, but whilst these are not disputed, they neither alter nor outweigh the harm I have identified.

Conclusion

16. For the reasons above, I conclude that the proposal would fail to accord with the relevant policies of the development plan and the Framework, and therefore the appeal should be dismissed.

Adrian Caines

INSPECTOR