



Appeal Decision

Site visit made on 26 November 2020

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2020

Appeal Ref: APP/H5390/D/20/3257437

16 Marville Road, London, SW6 7BD

- 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 Karim Shousha against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref: 2020/00592/FUL, dated 1 February 2020, was refused by notice dated 5 June 2020.
 - The development proposed is new loft extension over part of the rear annex.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Although the Council amended the description of development, I have determined this appeal on the basis of the description of development as it appears on the application form.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the building, terrace, and Central Fulham Conservation Area, and
 - the effect on the living conditions of the occupants of No.14 Marville Road and neighbouring properties in respect of outlook.

Reasons

4. The appeal building is a terraced house located in a relatively high density residential area. The Central Fulham Conservation Area is based upon regular terraced and semi-detached houses developed around St Peter's Church. It has a series of parallel roads and tightly packed terraced houses, most of which have small rear gardens.
5. No.16 Marville Road has a rear annexe, side courtyard and small rear garden. The adjoining dwelling of No.18 Marville Road has a roof extension over part of the existing annexe. It has the form of a mansard with a 70° angle, slate cladding and glazed doors to the rear elevation. No.14 also has an extension over the existing annexe with a slate clad mansard and a sash window to the

- rear. The rear elevation of No.16 may be seen from rear windows of houses in the opposing terrace located along Bishop's Road.
6. The proposed roof extension would be similar to the extent of development at No.18 but would be around 1.3 m greater in length, at around 2.65 m overall. The external materials would be slate, brick and lead in keeping with the appearance of the property. The side roof would also slope away at a 70° angle.
 7. The rear elevation of the terrace is not uniform in appearance because of the various alterations and extensions which have occurred over time. The appellant refers to the Council's approach whereby a loft annexe extension is considered to be inappropriate if it extends for over 50% of the depth of the roof of the back addition. In the case of the appeal proposal the roof extension would represent around a 68% extension in depth.
 8. The 50% guideline does not appear to be specified in the development plan or supplementary planning guidance, but there is evidence that it has been applied consistently in relation to other applications for rear loft extensions in Marville Road at No.2 and at Nos.14 and 18 at either side of the appeal building.
 9. Although there are examples of roof extensions exceeding 50% depth at Nos.10 and 34 Marville Road, the Council has advised that these were not constructed in accordance with the approved drawings. I consider that they form insufficient reason to form a precedent for the appeal proposal. The appellant has drawn my attention to appeal decisions elsewhere in the Borough involving development over the full length of an annexe. However, the particular site circumstances in each case would have been different compared to those at the appeal site. In determining this appeal, I have had regard to the scale and extent of the proposed roof extension.
 10. I consider that the proposed roof extension would be excessive in depth and would be an overly prominent addition, inconsistent with extensions allowed at its immediately neighbouring dwellings. It would harm the character and appearance of the dwelling and terrace, contrary to the London Borough of Hammersmith Local Plan policy DC1 regarding the creation of a high quality urban environment. It would also conflict with Local Plan policy DC4 which, amongst other things, seeks to ensure that extensions are compatible with the scale and character of existing development and neighbouring properties.
 11. The proposed change to the rear elevation of the building would fail to preserve the character and appearance of the conservation area, contrary to Local Plan policy DC8 and Key Principle CAG2 of the Planning Guidance Supplementary Planning Document (SPD). However, the amount of harm to the conservation area would be less than significant because the proposal would have no adverse impact on the appearance of the front elevation of the building. Even so, whilst there would be private benefits, this harm would not be outweighed by any public benefits from the proposal.

Effect on living conditions

12. No.14 Marville Road has a first floor bathroom and bedroom window in its rear side elevation facing No.16. It also has a ground floor extension with a glazed

roof. I consider that the proposed roof extension would cause a significant detrimental increase in the loss of outlook for the occupants of No.14 when looking through their first floor bathroom and bedroom windows. The proposed roof extension would result in an undue increased sense of enclosure for the occupants of No.14 because of the proximity, bulk and, in particular, the depth of the proposed extension. It would conflict with Local Plan policy DC4 which seeks good neighbourliness for other properties directly affected by extensions. It would also conflict with Local Plan policy HO11 and Key Principle HS7 of the Planning Guidance SPD which seek to avoid detrimental impact from extensions on the outlook from windows in adjoining properties.

13. The gardens between the houses at Marville Road and those at Bishop's Road are small. Consequently, the Council has advised that the proposed roof extension would infringe a line drawn at an angle of 45° upon the rear boundary. The roof extension would be prominent when viewed from the rear windows and gardens of Nos.44 and 46 Bishop's Road, creating an increased sense of enclosure, contrary to Key Principle HS6 of the Planning Guidance SPD.
14. I have taken all other matters raised into account. For the reasons given above I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR