



Appeal Decisions

Site visit made on 13 January 2021

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2021

Appeal A Ref: APP/H5390/D/20/3259446 **71 Abdale Road, London, W12 7ES**

- 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 Oliver Lansley against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2020/01280/FUL, dated 25 May 2020, was refused by notice dated 27 July 2020.
 - The development proposed is development to construct 2nd floor extension and rear mansards with new higher roof structure as a joint Application with No 73 Abdale Road. Installation of a roof deck at 1st floor level on existing rear wing. Internal alterations.
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Appeal B Ref: APP/H5390/D/20/3259461 **73 Abdale Road, London, W12 7ES**

- 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 Umar Khawaja against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2020/01281/FUL, dated 25 May 2020, was refused by notice dated 27 July 2020.
 - The development proposed is development to construct 2nd floor extension and rear mansards with higher roof structure as a joint Application with No 71 Abdale Road. Internal alterations.
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Decisions

Appeal A Ref: APP/H5390/D/20/3259446

1. The appeal is allowed and planning permission is granted for development to construct 2nd floor extension and rear mansards with new higher roof structure as a joint Application with No 73 Abdale Road. Installation of a roof deck at 1st floor level on existing rear wing. Internal alterations at 71 Abdale Road, London, W12 7ES in accordance with the terms of the application, Ref 2020/01280/FUL, dated 25 May 2020, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Appeal B Ref: APP/H5390/D/20/3259461

2. The appeal is allowed and planning permission is granted for development to construct 2nd floor extension and rear mansards with higher roof structure as a joint Application with No 71 Abdale Road. Internal alterations at 73 Abdale Road, London, W12 7ES in accordance with the terms of the application, Ref

2020/01281/FUL, dated 25 May 2020, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Procedural Matters

3. The description of development for appeal B incorrectly referred to a joint application with 73 Abdale Road. I have corrected the description on the banner heading to a joint application with 71 Abdale Road.
4. As set out above there are two appeals relating to adjoining houses. They differ only slightly in the detail of the design of the proposed extensions. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together.

Main Issue

5. The main issue in both appeals is the effect of the proposed developments on the character and appearance of the buildings and surrounding area.

Reasons

6. The roofs of most other houses in the street are divided by parapets rising from above the eaves to the ridge and they generally share a common ridge and eaves line. Nos 71 and 73 share the same eaves and ridge line but are stepped down from the neighbouring property. Also, there is no parapet dividing their roofs. Houses within the same terrace have 2 storey rectangular bays with flat roofs joining the eaves. Nos 71 and 73 have 2 storey canted bays with turret roofs above the eaves which join the roof plane. As a result of their shared design characteristics and lower roof they appear as a pair of houses and different from others within the terrace.
7. The Council is concerned that the proposed increase in the ridge height of both dwellings would alter the roof angle to such a degree as to be out of keeping with the surrounding roofscape. However, because Nos 71 and 73 are distinctly different in appearance to other houses within the terrace, including in terms of their shared roofscape, changing the angle of their roof would not in my view appear out of place or harm the character and appearance of the buildings or wider area. Furthermore, because the road is narrow, views of roofs are restricted and largely obscured by the parapets which divide them, unless viewed from close to the appeal sites.
8. The rear roof extensions would include a shared brick extension across the rear of Nos 71 and 73 almost to the ridge height, which would break up the appearance of the otherwise tiled roof plane. The Council is concerned that the extensions would consequently appear visually obtrusive and out of character. The only view from the street of the rear of the properties is from Ellerslie Road. From this view looking towards the appeal sites the variety of roof forms is the most striking characteristic of the immediate area, particularly along the rear of Loftus Road but also to a lesser extent Abdale Road. On Abdale Road these include rear full width roof dormers, original pitched roofs, mansard roof extensions and a variety of roof materials including slate and pantile clay tiles.
9. The extensions would not be visible from most properties along Abdale Road, because their shallow rear gardens prevent views along the back of the terrace. They would be seen from the rear gardens and windows of properties along Loftus Road, but within the context of a varied roofscape which the proposed

development would contribute to, rather than appearing as a discordant or incongruous feature.

10. Overall, I consider that the proposed developments on both appeal properties would not harm either their character or appearance or that of the wider area. As such the proposed developments would not conflict with policy 7.4 of the London Plan (2016) and policies DC1 and DC4 of the Hammersmith and Fulham Local Plan (2018) which require development to be of a high quality that respects and enhances its townscape context and is compatible with the scale and character of existing development.

Conditions

11. The 3 year period in which the planning permissions may be implemented is a statutory requirement. Conditions should also be imposed to require the use of matching materials in the interests of appearance and to list the plans in the interest of certainty. I have considered other conditions suggested by the Council. Conditions regarding the use of parts of the buildings for a roof terrace, other than those specifically permitted, are necessary to safeguard living conditions. Conditions regarding roof structures, roof lights and party walls are necessary to safeguard the character and appearance of the area. Conditions regarding materials and limiting the ridge height to that which is in the approved plans would duplicate conditions 2 and 3 and are not therefore necessary. A condition regarding the proposed balcony at No 71 is specifically required for Appeal A to safeguard the character and appearance of the area and the living conditions of neighbours and occupants of the dwelling.

Conclusion

12. For the reasons given above I conclude that both appeals should be allowed.

P D Sedgwick

INSPECTOR

Schedule of Conditions Appeal A Ref: APP/H5390/D/20/3259446

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; L/U/AR 203 09A; L/U/AR 203 10A; L/U/AR 203 11A; L/U/AR 203 12A; L/U/AR 203 13A; L/U/AR 203 14A; L/U/AR 203 15A; L/U/AR 203 16A.
- 4) The first-floor terrace hereby approved shall not be occupied until a sample of the 1.7m high obscure/opaque glass screening shall be submitted to, and approved in writing by, the local planning authority. The glazed screen shall be erected in its entirety around the rear and flank elevations of the terrace in accordance with the details approved, and shall thereafter be permanently retained.

- 5) Other than the area explicitly identified on the drawings as a roof terrace, no other roofs of the parent building or extensions to the parent building shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to the rear elevation of the application property, including the rear roof extension hereby approved, to form access onto these roofs.
- 6) No water tanks, water tank enclosures or other structures shall be erected upon the flat roof of the rear dormer projections hereby permitted or any other roof of the parent building.
- 7) The rooflights hereby approved to the front roof plane shall not protrude more than 0.15m above the surface of the roof planes.
- 8) The party walls of the roof extension hereby permitted shall be constructed from brick to match the main dwelling, shall follow the profile of the extensions and shall not project more than 250 millimetres above or beyond the external faces of the roof structure.

*****End of Conditions*****

Schedule of Conditions Appeal B Ref: APP/H5390/D/20/3259461

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; L/U/AR 203 09B; L/U/AR 203 10B; L/U/AR 203 11B; L/U/AR 203 12B; L/U/AR 203 13B; L/U/AR 203 14B; L/U/AR 203 15B; L/U/AR 203 17B.
- 4) No part of any roof of the existing building or the extensions hereby approved shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.
- 5) No water tanks, water tank enclosures or other structures shall be erected upon the flat roof of the rear dormer projections hereby permitted or any other roof of the parent building.
- 6) The rooflights hereby approved to the front roof plane shall not protrude more than 0.15m above the surface of the roof planes.
- 7) The party walls of the roof extension hereby permitted shall be constructed from brick to match the main dwelling, shall follow the profile of the extensions and shall not project more than 250 millimetres above or beyond the external faces of the roof structure.

*****End of Conditions*****

