



Appeal Decision

Site Visit made on 3 August 2021 by S Witherley CIHCM MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2021

Appeal Ref: APP/H5390/W/21/3270553

59 Top Floor, Finlay Street, London SW6 6HF

- 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 Andrew Woodward against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2020/02831/FUL, dated 30 October 2020, was refused by notice dated 5 January 2021.
 - The development proposed is *Erection of a front and rear roof extension; erection of a rear extension at second floor level over part of the existing back addition; and installation of a new window to the side elevation of the existing back addition at first floor level.*
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Government has published on 20 July 2021 a revised version of the National Planning Policy Framework. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. Both parties were given the opportunity to comment on the revisions and I have had regard to those comments received.

Main Issue

4. The proposal comprises a number of different elements including the proposed rear roof extension and the rear extension which the Council have considered are acceptable. The main issue, therefore, is the effect of the proposed front roof extension on the character and appearance the appeal building and whether it preserves or enhances the character and appearance of the Bishops Park Conservation Area (CA) in which it is located.

Reasons

5. No. 59 is a top floor flat located in a two-storey terraced building which is formed of a block of four properties, each sharing a number of repeating and attractive architectural features. It sits within a long suburban street made up of similar terrace blocks.

6. It sits along the northern edge of the Bishops Park CA and overlooks the eastern edge of the Crabtree CA. The significance of the CA, in as far as it relates to this appeal, derives from the grid like street layout and the attractive and repeating architectural features of the Victorian residential properties.
7. When viewed from street level, No. 59 along with its immediate neighbours, have retained many original features thus the original historic form and profile of the properties has been retained. In particular, the front bays which terminate at roof level with distinctive pedimented gables, provide a regular rhythm and consistency along the street. It is clear that the historic built form of this part of Finlay Street, including the distinctive roofline, is better preserved and worthy of retention. As such, they make a positive contribution to this part of the CA and the CA as a whole.
8. Notwithstanding this, I observed many of the properties in neighbouring blocks, particularly those located across the junction of Woodlawn Road had been modified with front roof extensions. This has resulted in sections of Finlay Street having a notably different character and appearance at roof level.
9. Whilst I consider these front roof additions have resulted in the incremental erosion of the original character and appearance of sections of Finlay Street, there is sufficient visual separation and areas within the street which have not undergone these types of front roof modifications, including the run of properties in the vicinity of the appeal site where the original roof form is still apparent. As such, I do not consider them to be an overall established feature of the character and appearance of Finlay Street.
10. At the front, the proposed mansard roof with 3 no. dormer window inserts would be set back from the projecting gable, with its height, form and design resulting in a highly visible and intrusive form of development. The proposal would be visible from above the front facing gable particularly when viewed in both short and long views along Finlay Street. It would, as a result of its design, scale and mass, break up this section of relatively untouched roof scape and appear as an incongruous addition which would result in the loss of a distinctive and pleasant uninterrupted roof form.
11. Having regard to the above, the proposal would have a detrimental effect on the character and appearance of the appeal property. It would break up the established roofline across the short terrace block and would erode the terrace's architectural cohesion therefore would fail to preserve the characteristics and significance of this part of the CA and the CA as a whole.
12. The harm that the proposed development would cause to the significance of the CA would be less than substantial. However, there would be no public benefits that would outweigh that harm. The proposal, therefore, causes harm that is not justified or outweighed, as required by paragraph 202 of the National Planning Policy Framework (the Framework).
13. For the above reasons, I conclude that the proposed development would harm the character and appearance of the appeal property and fails to preserve the character and appearance of the CA. The proposed development would therefore conflict with Policies DC1, DC4 and DC8 of the Hammersmith & Fulham Local Plan (2018), which collectively seek development to respect the existing context, character and appearance of an area and requires development to protect, restore and enhance heritage assets.

Other Matters

14. The appellant refers to a number of planning approvals¹ and appeal decisions² for front dormers that have taken place to properties throughout Finlay Street. I note that the Inspector referred to an extant permission as a material consideration when allowing the appeals in relation to Nos. 47 and 49. It is not clear what the details of that extant scheme were and, as such, I cannot be certain that the circumstances are directly comparable to the current appeal where no extant permission exists. In allowing other schemes, the Council noted the presence of numerous other front roof alterations in the immediate vicinity.
15. I have had regard to these previous approvals and observed a number of them during my site visit. Some of those that I saw served to confirm that poorly designed front dormer extensions do harm the character and appearance of the property and the surrounding area. Although I have had regard to their presence and the fact that there are several roof alterations within different sections of Finlay Street, I am not convinced for the reasons outlined above, that these other schemes provide justification to enable further incremental erosion of the original character and appearance of this section of Finlay Street where it is clear that the historic built form has been preserved. The presence of these other dormers on neighbouring properties does not serve as a precedent for further incremental development of the same kind.
16. Whilst I appreciate the need for consistency in decision making, each proposal is to be considered on its individual merits. Furthermore, I do not consider this should be at the risk of further incremental erosion of the historic built form. I therefore attach limited weight to this line of argument and to these other development schemes.

Conclusion and Recommendation

17. There are no material considerations that indicate the application should be determined other than in accordance with the development plan.
18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Chris Preston

INSPECTOR

¹ (No.s 1, 3, 5, 7, 12, 20, 22, 35, and 81 Finlay Street)

² (No.s 47 and 49 Finlay Street)