



Appeal Decision

Site visit made on 22 September 2021 by Max Webb BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2021

Appeal Ref: APP/H5390/D/21/3275396

62 Kilmaine Road, London SW6 7JX

- 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 Amber Benjamin against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2021/00021/FUL, dated 18 December 2020, was refused by notice dated 12 March 2021.
 - The development proposed is erection of a three storey rear extension at upper ground, first and second floor level, over part of the existing single storey back addition at lower ground floor level; replacement of existing lantern rooflight to the flat roof of the existing single storey back addition at lower ground floor level with a new flat rooflight; repositioning of existing steps and excavation to the existing front lightwell in connection with the lowering and enlargement of the existing basement; erection of black-painted wrought iron railings to the front of the property.
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Decision

1. The appeal is allowed and planning permission is granted for a three storey rear extension at upper ground, first and second floor level, over part of the existing single storey back addition at lower ground floor level; replacement of existing lantern rooflight to the flat roof of the existing single storey back addition at lower ground floor level with a new flat rooflight; repositioning of existing steps and excavation to the existing front lightwell in connection with the lowering and enlargement of the existing basement; erection of black-painted wrought iron railings to the front of the property at 62 Kilmaine Road, London SW6 7JX in accordance with the terms of the application Ref 2021/00021/FUL, dated 18 December 2020, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1273/E00, 1273/P01, 1273/P02, 1273/P03, 1273/P04 and 1273/P05.
 - 3) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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.

Procedural Matters

3. The description used in the banner heading has been taken from the Council Officer's report as it provides a more accurate description of the proposed development than that which is given on the application form.
4. The parts of the development in contention are the three-storey rear extension and the front railings, with the rest of the development considered acceptable by the Council. The appeal will therefore be considered on this basis.
5. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to this as a material consideration however, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

6. The main issues in the appeal are:
 - whether the proposed rear extension and front railings would preserve or enhance the character or appearance of the Central Fulham Conservation Area; and
 - the effect of the proposed rear extension on the living conditions of the occupiers of the neighbouring properties on Munster Road and St Olaf's Road.

Reasons for the Recommendation

7. The appeal property is located on the end of a terrace in the Central Fulham Conservation Area (CFCA). In the vicinity of the appeal site, the CFCA derives its significance from the architectural details and design of the front of the properties, including mansard style roofs. Properties on the appeal street and on the adjacent Munster Road appear predominantly three-storey due to loft conversions, though many also have basement levels. St Olaf's Road, the street opposite the rear gardens of the appeal street, is also made up of three-storey properties. The rear elevations of the properties in the vicinity of the appeal site are not uniform due to the variety of loft conversions and two-storey projections. The proximity of these three streets means the rear elevations and gardens are extremely close-knit, with an existing high level of overlooking between rear windows and amenity spaces.

Character and Appearance

8. The proposal would add a rear projection to the appeal dwelling, including the construction of a roof extension. Although the other rear projections on the street do not have this roof element, the proposal takes design notes from the mansard style roof of the host dwelling and appeal street. In the context of the non-uniform rear elevations, the roof element would not look incongruous and would not appear out of keeping with the host dwelling or surrounding area.
9. Despite covering more than 50% of the rear projection, the roof element would be small in relation to the whole host dwelling and would appear subservient. It

would not significantly increase the scale of the property and therefore the appeal dwelling would remain of a commensurate scale with other properties in the area.

10. The roof element, though visible from neighbouring properties, would not be visible from the public domain. As the CFCA derives its key significance from the front elevations, this would ensure the proposal would preserve the character and appearance of the Conservation Area.
11. Although not set out in the Council's reasons for refusal, the Officer's report suggests that the proposed railings would be out of keeping. Most properties on the appeal street have a low boundary wall, with some having no additional boundary treatment and others having a range of horizontal bars, railings and greenery. The proposal seeks to install low railings on top of the existing boundary wall. This would not introduce a new style of boundary treatment to the area and would maintain the low boundary wall that is seen consistently on the street. It would therefore not appear out of keeping and would preserve the character of this part of the CFCA.
12. Overall, the proposal would preserve the character and appearance of the host dwelling and the Conservation Area. It would therefore comply with Policies DC1, DC4 and DC8 of the Hammersmith & Fulham Local Plan (2018), which together aim to ensure development respects its context in terms of scale and design, with particular regard to the conservation of heritage assets. Whilst not referenced in the Council's reasons for refusal, it is clear from the Officer's report that Policies CAG2 and CAG3 from the Hammersmith & Fulham Planning Guidance Supplementary Planning Document (2018) also apply to this development. The proposal would conform with these policies, which together seek to ensure extensions and alterations in conservation areas are sympathetic to characteristics such as roof forms and boundary treatments.

Living Conditions

13. The proposed rear projection would extend towards the properties opposite on St Olaf's Road, particularly Nos.151-156. However, the proposal would not project any further towards these dwellings than the neighbouring rear projection and would therefore not cause any additional overbearing or loss of outlook. Though there would be an additional level than on the neighbouring projection, the roof element would be small and would not appear overbearing or substantially decrease outlook from the rear windows or amenity space of Nos.151-156, or any other properties on this road.
14. The proposal would extend towards properties on the adjacent Munster Road, particularly No.218. However, this property already looks towards the rear projection of the dwelling neighbouring the appeal site. The proposed extension would not significantly reduce the gap to No.218, or the other properties on Munster Road, and would therefore not create a sense of enclosure, overbearing or loss of outlook.
15. There would be three windows on the rear elevation of the proposed projection, facing the rear windows and amenity space of properties on St Olaf's Road, in particular Nos.151-156. However, there are already significant levels of overlooking towards these properties from the existing windows in the rear of the appeal dwelling and from the projection on the neighbouring dwelling. The proposal would not extend far enough for the proposed windows to significantly

increase the potential for overlooking from the existing windows. They would therefore not cause a loss of privacy to Nos.151-156 or any other properties on St Olaf's Road.

16. Overall, the proposal would preserve the living conditions of the occupiers of the properties on St Olaf's Road and Munster Road. It would thus comply with Policies DC1, DC4 and HO11 of the Hammersmith & Fulham Local Plan (2018), which together seek to protect the residential amenity of neighbouring properties, with particular regard to privacy and outlook. It would also conform with Policies HS6 and HS7 of the Hammersmith & Fulham Planning Guidance Supplementary Planning Document (2018), which aim to ensure appropriate levels of outlook and privacy.

Conditions

17. I have recommended the standard time condition for reasons of certainty. For the same reason, I have recommended conditions regarding plans and materials, as well as to ensure an appropriate level of design that protects the character and appearance of the dwelling and surrounding area.

Conclusion and Recommendation

18. For the reasons given above and having had regard to the Development Plan when it is considered as a whole, I recommend that the appeal is allowed.

Max Webb

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 allowed.

K Taylor

INSPECTOR