



Appeal Decision

Site visit made on 20 October 2021

by Elaine Benson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2021

Appeal Ref: APP/H5390/D/21/3278642

32 Harwood Road, London SW6 4PH

- 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 Thomas and Bridge Castle against the decision of London Borough of Hammersmith and Fulham.
- The application Ref 2021/01155/FUL, dated 30 March 2021, was refused by notice dated 16 June 2021.
- The development proposed is described as the 'erection of an additional floor at roof level; erection of a rear extension at second floor level over part of the existing back addition; formation of a roof terrace at second floor level to the rear elevation; erection of a single storey rear side infill extension; excavation of part of the front garden in connection with the enlargement of the existing basement to create bin and cycle stores; erection of an external staircase from basement to ground floor level at the front of the property; installation of new railings to front of the property; installation of new windows to replace the existing windows to the front and rear elevation'.

Decision

1. The appeal is allowed and planning permission is granted for the erection of an additional floor at roof level; erection of a rear extension at second floor level over part of the existing back addition; formation of a roof terrace at second floor level to the rear elevation; erection of a single storey rear side infill extension; installation of metal cladding and enlargement of glazing to the rear elevation of the existing ground floor rear extension; excavation of part of the front garden in connection with the enlargement of the existing basement to create bin and cycle stores; erection of an external staircase from basement to ground floor level at the front of the property; installation of new railings to front of the property; installation of new windows to replace the existing windows to the front and rear elevation at 32 Harwood Road, London SW6 4PH in accordance with the terms of the application, Ref 2021/01155/FUL, dated 9 April 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Unless indicated on the approved drawings, 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: 260_33_09, 260_33_10, 260_33_11, 260_33_12, 260_33_13, 260_33_20, 260_33_21 and 260_33_30.

Preliminary Matter

2. The appellant's description of the proposed development is set out in the header above. I have based my decision on the more comprehensive description used by the Council and note that the appellants did the same on the appeal form.

Background and Main Issues

3. At the time of my site visit, work was being undertaken in connection with an earlier September 2020 planning permission for a similar development. Compared to that approval, the appeal proposal comprises an increase in the bulk of the second-floor extension due to a greater depth of some 1.4m and its sloped end elevation would be vertical. A terrace would be provided at the front of this extension. Minor ground floor works are not contentious.
4. Consequently, the main issues in the appeal are the effect of the proposed second floor rear extension and the terrace on: i) the character and appearance of the host property, the terrace and the surrounding area, including whether it would preserve or enhance the character and appearance of the Walham Green Conservation Area; and ii) the living conditions of neighbouring occupiers.

Reasons

Design

5. The design of the extension above the back addition, or pod, and the terrace would be different to the historic host building. However, the rear elevation of the terrace as a whole has been altered to a degree whereby there is no longer any design conformity. Furthermore, the overall appearance of the scheme would largely reflect the existing planning permission. Whilst it would be out of keeping with the Council's preferred architectural character and appearance of works to the Building of Merit, the design is also reflective of a number of rear extensions in the area.
6. The use of high quality, more contemporary materials separated from the original building by a glazed link would define the extension as a separate and later addition to the Building of Merit and in my judgement would be acceptable. The design of the terrace balustrade would reflect others in the surrounding area and would not appear out of keeping. Overall, the proposal would preserve the character and appearance of the Walham Green Conservation Area and would not harm its significance.
7. In respect of design, the development complies with s.72 of the Planning (Listed Buildings and Conservation Areas) Act (1990), the design requirements of the National Planning Policy Framework, HC1 of the London Plan and Policies DC1, DC4, and DC8 of the Hammersmith and Fulham Local Plan (2018) (Local Plan). It also accords with the objectives of Key Principle BM2 and CAG3 of the Planning Guidance Supplementary Planning Document (2018) (SPD).

Effect on living conditions

8. I have considered the depth and bulk of the proposed extension above the existing back addition and its proximity to the windows in the adjacent homes,

also having regard to the approved scheme and the submitted layouts of the neighbouring properties.

9. I am satisfied that the proposed extension would be a sufficient distance from the first-floor rear window of the adjacent 30 Harwood Road (No 30) to avoid harming its residents' outlook and creating a sense of enclosure. The effect of the proposal on this neighbour's other windows would be similar to that resulting from the previous planning permission. For the same reasons, the extension would not have an overbearing and dominating effect when experienced from No 30's garden. The habitable room windows of 34 Harwood Road are a sufficient distance from the rear extension to prevent any unacceptable sense of enclosure.
10. The low metal balustrades around the terrace would be insufficient to prevent overlooking of neighbouring properties. However, as indicated above, there are a large number of terraces and windows directly overlooking the gardens and there is currently little privacy in gardens. The small depth of the terrace would prevent its realistic use as an outdoor 'room' or amenity space. I conclude that the rear terrace and balustrading would not result in a further loss of privacy.
11. For these reasons the second-floor rear roof extension and terrace would have an acceptable effect on the living conditions of neighbouring occupiers and there would be no conflict with Local Plan Policies DC1, DC4, DC8 and HO11 and Key Principles HS7 (i) and HS8 of the SPD.

Conditions

12. I have imposed a condition requiring the use of matching materials, with the exception of those shown on the application drawings, to safeguard the appearance of the development. The approved plans are included in a condition for the avoidance of doubt and in the interest of proper planning.

Conclusion

13. For the reasons set out above, the appeal should be allowed.

Elaine Benson

INSPECTOR