



Appeal Decision

Site visit made on 18 January 2022

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th January 2022.

Appeal Ref: APP/X5990/W/21/3284457

Ground Floor, 10 Bradiston Road, LONDON W9 3HN

- 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 Matthews against the decision of City of Westminster Council.
 - The application Ref 21/05543/FULL, dated 11 August 2021, was refused by notice dated 28 September 2021.
 - The development proposed is a side and rear ground floor extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the building; and
 - The effect of the proposal on the living conditions of existing occupiers of 8 Bradiston Road (No.8) with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site comprises a 3-storey mid-terraced period property in a predominantly residential area that displays relative uniformity, with houses and terraces of similar style and design. The ground floor is currently a one-bedroom flat and it is this which would be extended. At the rear of the property there is a three-level outrigger that projects into the garden and which creates a yard area between the side of the outrigger and the shared garden boundary wall with No.8. On my site visit I saw that such outriggers were a characteristic feature of the adjacent properties and the terrace.
4. The proposal is to construct a single storey side and rear extension to provide an enlarged space for an open-plan kitchen/dining/living area and create a two-bedroom flat. The side extension would fill in most of the yard between the side of the outrigger and the shared boundary wall with No.8 and project some 6.5 metres in length along it. The rear extension would extend the back of the outrigger by some 2 metres into the garden and link with the side extension to create a 'wrap-around' extension. As a result, the proposed extension would extend across the entire width of the property and plot. The extension would be built of brick to match the existing property, and bi-fold aluminium doors and a full height glazed window would be installed in the rear elevation.

5. The single storey extension would not visually disrupt the rhythm or design of the upper levels of the outrigger. Views of it from other properties would be limited and it would not be seen from the street. However, by filling in the gap to the side of the outrigger the ground floor plan would become rectangular, at odds with the prevailing 'L' shape footprint of the property and its neighbours. As a result, the legibility of the original property would be reduced. Combined with the rear extension, the wrap-around form would erode the simple form of the rear of the property. This would detract from the traditional character and appearance of this period property and unity of the terrace.
6. I saw that No.8 had a single storey extension. Whilst it extended further into the rear garden than the appeal proposal would, it maintains the 'L' shaped form of the property and did not wrap-around the outrigger. This reinforces my view that the appeal proposal would be harmful to the character and appearance of the property and the area. The adjoining property No.12 has no rear extensions.
7. The appellant has drawn my attention to an extension the Council approved at 155 Bravington Road¹, and which was designed by the appellant's architect. Whilst it looks similar in appearance and materials, by comparing the submitted plans the property had a longer and narrower outrigger; the infill extension to the side yard was set back from the rear elevation of the outrigger, and the extension did not wrap-around the outrigger. Therefore it is not directly comparable to the proposal before me, which in any event I must consider on its own merits.
8. For the reasons above, I conclude that the proposed development would be harmful to the character and appearance of the property and the area. Accordingly, it would be contrary to Policies 38 and 40 of the City Plan 2019-2040 (the 'City Plan'). These policies collectively seek, amongst other things, to ensure that development positively contributes to the character and appearance of the area having regard to issues such as the character of existing and adjacent buildings, plot widths, architectural quality and degree of uniformity, pattern and rhythms in the surrounding townscape and not to disrupt them.

Living conditions

9. The side extension would extend up to the shared boundary wall with No.8 and would rise above it to a height of about 2 metres. Raising the height of a structure for some 6.5 metres along the boundary wall would introduce a substantial length of built form in close proximity to the yard area and windows of habitable rooms. This would serve to further enclose an already narrow space and represent an unneighbourly form of development that would create a more oppressive and unsatisfactory outlook for occupiers of the ground floor of No.8. The fact the roof would be glazed and would slope away from the shared boundary would not sufficiently lessen the harm I have identified.
10. A lack of representations from neighbouring properties does not mean there is no unacceptable harm, or diminish the harm that I have identified. Planning permission runs with the land and I must determine the proposal on its planning merits.

¹ LPA ref: 21/05082/FUL

11. For the reasons above, I conclude that the proposed development would harm the living conditions of occupiers of No.8. It would therefore be contrary to Policies 7 and 38 of the City Plan. These policies collectively seek, amongst other things, to ensure that development is neighbourly and maintains a good standard of amenity by preventing unacceptable impacts such as a sense of enclosure.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

K. Stephens
INSPECTOR