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# Appeal Decision

Site visit made on 22 March 2022

**by David Wyborn BSc(Hons) MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 April 2022**

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**Appeal Ref: APP/H5390/W/21/3281247**

**4, 6, 8 and 10 Bothwell Street, London W6 8DY**

- 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 Henry Crawford against the decision of London Borough of Hammersmith and Fulham.
  - The application Ref 2021/01008/FUL, dated 26 March 2021, was refused by notice dated 24 May 2021.
  - The development proposed is the erection of a front and rear roof extensions to Nos. 4, 6 and 8 Bothwell Street following the removal of existing front and rear roof extension at No.6 Bothwell Street; erection of a front and rear roof extension including a hip to gable roof extension, and erection of a rear extension at second floor level over part of the existing back addition to No.10 Bothwell Street.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The application form and appeal form both detail that the application site address is 10 Bothwell Street. However, it is clear from the description of the development and the plans that the works are proposed to the properties at 4, 6, 8 and 10 Bothwell Street. I have, accordingly, referred to all these properties in the site address above in the interests of accuracy and completeness.

## Main Issues

3. The main issues are:
  - the effect of the front roof additions on the character and appearance of the host buildings and area, and
  - the effect of the proposal at 10 Bothwell Street on the living conditions of the occupiers of 20, 22 and 24 Delorme Street, with particular regard to any loss of outlook, overbearing impact and sense of enclosure.

## Reasons

### *Character and appearance*

4. Bothwell Street has a mixed residential character including with four storey brick clad flatted buildings and original three storey terrace properties now with additional mansard roofs added. Amongst this group are the four appeal properties, 4, 6, 8 and 10 Bothwell Street, which form a short terrace and which has a smaller scale compared with the adjoining buildings. Nevertheless,

they are a pleasant group of buildings with their bay windows, rhythmical pattern of first floor windows and some architectural detailing. While No 6 has had a box like front dormer added which covers a section of the roof slope, the roof shape of the other three properties in the terrace appears mainly original and the general roof form of this terrace of properties contributes to the character of the group within the street scene.

5. In terms of the wider area, this terrace has features which are characteristic of some properties in some of the longer terraces on the broadly northern side of Delorme Street where those two storey dwellings have bay windows and the characteristic front roof slope.
6. The proposed mansard roof additions to Nos 4-10 would be consistent with each other across the terrace but would add a fairly considerable bulk to the roof form. The additions would appear top heavy in relation to the modest scale of the present two storey appearance of the terrace and would have an overly imposing presence upon the character of the group. The pleasant proportions of the buildings, with the bays and modest two storey appearance, would be undermined by the bulk of the front roof additions. As a result, the architectural character of this group of four dwellings would be significantly eroded.
7. I appreciate that there are similar mansard roof additions to residential buildings nearby, including within Bothwell Street. However, these additions have tended to be constructed to buildings where the host property was taller and therefore the impact on the scale and character of the host building was different. While these buildings with their mansard roof additions form part of the local character, I am not convinced that their presence generally adds positively to the appearance of the area such that they are examples that should be replicated to the smaller scale form of the appeal dwellings.
8. My attention has also been drawn to other permissions which the Local Planning Authority has granted for front mansard roof additions to terraces. In the case of the Perrers Road<sup>1</sup> planning permission, the mansard roof additions would be constructed to the butterfly roof and would be partially screened by the front parapet. The appearance and change in character to this terrace would be materially different to the appeal scheme with its different roof form.
9. However, I do acknowledge some similarities with the planning permission at Friston Street<sup>2</sup> where a terrace of two storey bay fronted dwellings was granted permission for a run of mansard roof additions. The planning report for that proposal explains that in most instances, the Local Planning Authority would seek to resist the introduction of front roof extensions due to the propensity of these types of extensions to create a top-heavy dominant roof form which undermines the original uniform character of the application terrace. However, the report goes on to explain that part of Friston Street had been impaired by one front roof extension, and others in the area, and this appears to have helped justify the proposal.
10. In the present case, the front dormer at No 6 is not especially dominant such that it so affects the run of buildings and their character that it would help to clearly justify the present scheme. While consistency in decision making is

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<sup>1</sup> Council Ref 2017/00193/FUL - 58, 60, 62, 66, 68, 70 and 72 Perrers Road, London W6 0EZ

<sup>2</sup> Council Ref 2020/03400/FUL - 1, 3, 5, 7, 9 and 11 Friston Street, London SW6 3AS

important, each scheme will have its particular circumstances, and I am not persuaded that the permission at Friston Street, despite some similarities, is sufficient to justify this appeal scheme at Bothwell Street where I have found that the front roof additions would be harmful.

11. Drawing all these matters together, the site may not be located within a designated area, such as a conservation area, nevertheless, the present terrace of four dwellings are pleasantly proportioned and contribute positively to the street scene. For the reasons explained, I conclude that the front roof additions would harm the character and appearance of the host buildings and area. Accordingly, the development would not comply with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan (February 2018) (the Local Plan) which seek, amongst other things, that alterations and extensions to existing buildings should be subservient and should never dominate the parent building in bulk, scale, materials or design.

#### *Living conditions*

12. 10 Bothwell Street is the end dwelling in this part of the terrace. The side wall of the main part of the house and the existing two storey rear projection are located along the side boundary and adjoin the rear of some of the properties in Delorme Street. The end of the main part of the roof of No 10 is fully hipped and slopes away from Delorme Street.
13. The nearby properties in Delorme Street have modest sized gardens, and with 20 Delorme Street, it seems that most of the garden has been taken up with a single storey building (20A) in use as a separate residential unit. As a result the external space to No 20 is very small and confined by some buildings. The external area to 22 Delorme Street is also modest and the outlook from the lower floor windows is towards and constrained by the side wall of 10 Bothwell Street. 24 Delorme Street also has a modest rear garden and this backs onto the rear garden of No 10, although the presence and impact of the built form of No 10 is clearly apparent from its rear facing windows and garden. As a consequence, the effect of the built presence of No 10 already somewhat compromises the living conditions of the occupants of these three buildings.
14. The appeal scheme would include the upward extension of the side wall of No 10. This would remove the hipped roof and replace it with a gable and the works would provide the side elevation with the profile of the mansard roof. Furthermore, a "pod" would extend out from the rear of a section of the mansard roof and be formed at about second floor level.
15. These alterations and additions would increase the extent of flank wall that would be experienced by occupants of rear sections of the adjoining properties in 20, 22 and 24 Delorme Street. In particular, this impact would occur for those occupants when in their rear garden areas and rooms with rear facing windows. From these locations, the increased height and width of the built form alongside the boundary would provide a readily appreciable and prominent built presence. It would materially increase the level of enclosure and result in an increased level of overbearing impact compared with the existing situation. The existing reasonably limited extent of outlook from some parts of these neighbouring properties would be even more affected. The result would be an unacceptable deterioration in the living conditions for the occupants of these properties.

16. 10 Bothwell Street benefits from a Certificate of Lawful Use and Development which confirms that works can take place to the dwelling. This includes, under permitted development rights, that the hipped roof can be formed into a gable end and that a roof extension can be constructed across the rear roof which would extend from the eaves line to the ridge of the roof. The vertical, end profile of this rear roof addition and the gable end would face the adjoining properties in Delorme Street. There is a reasonable prospect that these works would take place if the appeal proposal was to be dismissed and they can be considered a fallback option.
17. However, while this permitted development rights scheme would exert a greater influence over the living conditions of adjoining neighbouring occupiers in Delorme Street than the present situation, it would not involve the construction, in particular, of the front section of the mansard roof and the rear pod projection which would form part of the appeal proposal. Even taking into account that the rear mansard roof would slope and the permitted development rights rear dormer would have a vertical face, overall, I consider that the permitted development rights scheme would result in less built development close to the boundary. As a consequence, there would be less effect in terms of sense of enclosure, outlook and overbearing impact on the living conditions of the neighbouring occupiers. In these circumstances, I attribute the option of the permitted development rights scheme limited weight in justification for the appeal development.
18. At my site visit, I visited the ground floor flat and garden area associated with 26 Delorme Street. The extensions and alterations proposed by the appeal scheme would be clearly visible and increase the built presence to the occupiers of this property. However, given the general built-up surroundings, the separation between properties and the effect that would result from the permitted development rights additions as a viable fallback option at No 10, I do not consider that the effect on the living conditions for the occupiers of No 26 from the appeal scheme would be such as to produce an unduly harmful impact. However, this finding does not negate the harm that I have found would occur to the occupiers of the other properties in Delorme Street that I have identified above.
19. In the light of the above analysis, I conclude that the proposed development at 10 Bothwell Street would unacceptably detract from the living conditions of occupiers of 20, 22 and 24 Delorme Street in the way that I have described above, having particular regard to the loss of outlook, overbearing impact and sense of enclosure. In this way, the scheme would conflict with Policies DC1 and HO11 of the Local Plan and Key Principle HS7<sup>3</sup> of the Hammersmith and Fulham Planning Guidance Supplementary Planning Document (February 2018) (the SPD) which seeks, notably in this case, that proposals for extensions will be considered acceptable where they can be demonstrated that there is no detrimental impact on, amongst other things, outlook from windows in adjoining properties.

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<sup>3</sup> The reason for refusal refers to Key Principle HS8 of the SPD but the planning report and appeal statement shows that the Council consider the conflict occurs with Key Principle HS7 of the SPD and these documents have set out an analysis of the scheme against this Key Principle.

## **Conclusion**

20. The scheme would harm the character and appearance of the host buildings and area, and unduly detract from the living conditions for occupiers of the identified adjoining properties. These are matters of substantial weight and would not be outweighed by the benefits of the improved accommodation for the occupants of the appeal dwellings.
21. The identified harm and related policy conflict is such that the scheme would conflict with the development plan when considered as a whole and material considerations do not indicate that a decision should be made otherwise. Accordingly, I conclude that the appeal should be dismissed.

*David Wyborn*

INSPECTOR