

Appeal Decision

Site visit made on 18 May by S. Wilson LLB, MSC, LRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2022

Appeal Ref: APP/H5390/D/21/3289306 30 Dewhurst Road, London W14 0ES

- 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 & Mrs Fraser & Sabina Jamieson and Ouimert-Storrs against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2021/02159/FUL, dated 28 June 2021, was refused by notice dated 24 September 2021.
 - The development proposed is described as: 'Erection of a front dormer roof extension, following the removal of existing front dormer roof extension in the front roof slope; erection of a rear roof extension, following the removal of existing rear dormer roof extension; raising the height of the second floor back addition; replacement of existing window with French doors and a Juliette balcony, to the rear elevation of the second floor back addition.'
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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 Matter

3. During the planning application process the proposal was amended, such that the description of development changed from that stated on the original application form. I have based my recommendation on the description as it appears on both the appeal form and the decision letter, as set out in the header above.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the appeal property; whether the proposal would preserve or enhance the character or appearance of the Lakeside / Sinclair / Blythe Road Conservation Area (LSBRCA); and the effect of the proposal on the living conditions of the occupiers of 28 Dewhurst Road, in respect of outlook.

Reasons for the Recommendation

Character and appearance

5. The significance of the LSBRCA is largely drawn from tightly knit, linear patterns of terraced, residential streets. No 30 is part of a traditional Victorian terrace which comprises two storey, red brick faced properties with dual pitched, slate covered roofs and double height canted bays with small gables. To the rear are matching and joined flat roofed projections with the original eaves line visible. There are many examples of loft conversions in the terrace; to the front these generally present flush fitting roof windows and to the rear are many roof extensions of various forms. These therefore form part of the character of the area.
6. There is only one existing front dormer in the terrace, at the appeal property, which projects above the roof ridge. Due to its form, materials and siting it appears incongruous in this location and its poor quality detracts from the appearance of this part of the LSBRCA. I recognise that the Council normally seeks to resist front dormer extensions due to the harm caused by undermining the uniform rooflines of traditional properties. However, in this case the proposed front dormer would be an improvement on the existing situation through its use of more traditional materials. Consequently, this element of the proposal would have a small positive effect on the character and appearance of the appeal property and the LSBRCA.
7. Likewise, there is an existing rear dormer of similar scale and form to the part of the rear roof extension proposed within the main roof slope. Therefore, that element would have a neutral effect on the character and appearance of the appeal property and the LSBRCA.
8. There is an existing parapet at no. 26; however, despite various changes to the rear of other properties in the terrace, there is no significant development visible on top of the rear projections or erosion of the eaves line to the main roof. The proposal to extend over the existing rear projection would add considerable height and mass to that structure while also breaking the eaves line. Whilst the materials proposed for that extension would be appropriate, its scale and siting would result in an overly dominant, incongruous, asymmetrical addition to the host building and the terrace within which it is located. The proposed raised brickwork on the rear addition would exacerbate that asymmetry.
9. Furthermore, the proposed Juliette balcony would significantly alter the form and scale of the rear opening at second floor level, affecting the hierarchy of windows and resulting in the loss of a traditional feature. Therefore, it would be incongruous with, and harmful to, the character and appearance of both the appeal property and the wider terrace.
10. These rear alterations and extensions would be highly visible from both private and public viewpoints. They would not rationalise the roofslope, rather they would interrupt the existing pattern and rhythm at the rear of the property and the terrace. Accordingly, these elements would be harmful to the character and appearance of the appeal property and the LSBRCA.
11. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or

enhancing the character and appearance of conservation areas. Given the location of the harmful elements proposed, the harm to the significance of the LSBRCA as a whole would be less than substantial, in the terms of the National Planning Policy Framework. Nevertheless, that harm is a matter of considerable importance and weight. Whilst there would be some public benefit to improving the front dormer appearance, that benefit would be limited, and would not be sufficient to outweigh the harms identified.

12. In conclusion, the proposal would harm the character and appearance of the appeal property and consequently fail to preserve the character and appearance of the LSBRCA. It would not conserve the heritage asset in a manner appropriate to its significance. Accordingly, it would fail to comply with Policies DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan (adopted 2018) which collectively require, amongst other things, that development should respect and enhance townscapes and heritage assets; be compatible with the scale and character of existing development and extensions; and conserve or enhance the significance of heritage assets.
13. Furthermore, it would not comply with the guidance in Key Principle CAG3 of the Planning Guidance Supplementary Planning Document (adopted 2018) (SPD) that development should not have a harmful impact on the character and appearance of conservation areas.

Living conditions

14. Both Nos 30 and 28 both have roof extensions facing rearward on the main building and rear projections. There are windows on the side elevations of both rear projections at ground, first and second floor levels that face each other and there are rear facing windows at ground and first floor levels of the main buildings in the gap between the rear projections.
15. The outlook from these windows is currently affected by the proximity of the rear projections to each other. The proposal would add significant mass at roof level projecting well beyond the existing roof extension. This would have a limited impact on the outlook from the ground and first floor windows as the existing projections would remain the dominant feature. Nor would it significantly affect the windows in the roof extension, which would retain a largely open outlook. The facing second floor bathroom window serves a non-habitable space and therefore, while the proposal would be highly visible, its impact on outlook would not materially harm the living conditions of the occupiers of No 28.
16. Nevertheless, from the second-floor rear window of No 28 the increased height and mass on top of the existing rear projection in relatively close proximity would significantly increase the sense of enclosure for the occupiers. As a result, it would have an overbearing effect and harm the living conditions of the occupiers of No 28 in respect of outlook.
17. Accordingly, the proposal would be contrary to Policy HO11 of the Local Plan which, amongst other things, requires development to be of a high standard and respect the principles of good neighbourliness. It would also conflict with key principle HS7 of the SPD, which amongst other things, requires new development not to worsen the outlook from any habitable rear room window.

Other Matters

18. The appellants have brought to my attention developments permitted at 20 and 22 Dewhurst Road. They are part of a separate terrace of three-storey properties which has its own characteristic uniform pattern and rhythm, different to that of the appeal terrace. Most have fourth storey loft conversions with a rear mansard style roof on the main building. The mansard style roof extensions added on top of the existing rear projections do break the eaves line but are subservient to the main buildings, joining the main mansard roof below the window height. Additionally, the developments on both properties present as a balanced pair.
19. Consequently, those extensions are significantly different in form and relationship to their host properties than the proposal before me, and have not resulted in the same harmful impacts. Therefore, they do not weigh in favour of granting permission for the appeal scheme.
20. The appellants' Daylight and Sunlight Report demonstrates that the proposed rear roof extension would not cause a reduction in daylight or sunlight to the windows of No 28. Therefore, the proposal would not harm the living conditions of the occupiers in respect of light. This is a neutral impact however and does not justify the harm identified above.

Conclusion and Recommendation

21. The proposal conflicts with the development plan and there are no material considerations to justify the harm I have identified. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S. Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the recommendation. On that basis the appeal is dismissed.

L McKay

INSPECTOR