



Appeal Decision

Site visit made on 2 May 2023

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2023

Appeal Ref: APP/H5390/W/22/3311871

49 - 55 Finlay Street, London SW6 6HF

- 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 and Mrs Oliver Kimberley against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2022/02265/FUL, dated 23 August 2022, was refused by notice dated 3 November 2022.
 - The development proposed is 'erection of front and replacement rear roof extensions to nos. 49 and 51; erection of front roof extensions to nos. 53 and 55 (Maisonette First and Second Floors).'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host buildings and of the Bishops Park Conservation Area.

Reasons

3. Finlay Street is predominantly characterised by short runs of terraced buildings which are arranged on consistent building lines fronting the streets. The buildings are of matching style and design, with features including two-storey projecting bays beneath gables, canopies over recessed entrances and decorative pediments and mouldings. This provides for a distinctive rhythm and impression of uniformity to the buildings in views along the street. The impression is particularly pronounced along the section between Stevenage Road and Woodlawn Road where there are few significant alterations to the front roofslopes of buildings and a regular roofscape that distinguishes this part of the street from the section between Woodlawn Road and Fulham Palace Road. In my view, the overall impression of uniformity to the buildings is an important element of the character and appearance of the area, and contributes to the significance of the Bishops Park Conservation Area ('the CA').
4. The appeal site includes a terrace of four buildings adjacent to the junction of Finlay Street with Woodlawn Road. There are front rooflights and varied extensions and roof alterations to the rear of each building. Even so, the overall appearance of the terrace as seen from the street reflects the typical consistency of the area, and I find that the terrace group and the individual buildings within it make a positive contribution to the character, appearance and significance of the CA.

5. The appeal proposal includes replacement roof extensions to the rear of 49 and 51 Finlay Street. These would be of similar design to the existing extensions to 53 and 55 Finlay Street, and I agree with the Council that the effect on the character and appearance of the host buildings and area would be acceptable.
6. The proposal also includes mansard roof extensions with dormers to the front of each of Nos 49-55. The extensions would increase the bulk and mass of the roofslopes behind the gable projections, but would be comparable to other mansard extensions that I observed to buildings on Finlay Street nearby, including at 47 Finlay Street. The resulting form of the buildings would not therefore appear incongruous or out of keeping, and the front gables would remain distinct and clearly readable. I am satisfied that the design and proportions of the extensions would be suitably sympathetic to the individual host buildings, and to the terrace as a whole.
7. There are currently no similar mansard extensions to the front roofline of buildings on the section of Finlay Street between Stevenage Road and Woodlawn Road where the Council indicates that a proposal for a front roof extension at 59 Finlay Street was recently dismissed at appeal. However, the position of the appeal terrace adjacent to the Woodlawn Road junction means that there is still some visual relationship with the fairly numerous front mansard extensions to buildings on the section of Finlay Street beyond the junction. The context of the appeal site is not therefore directly comparable to No 59 which sits further from Woodlawn Road.
8. I further note that planning permission has previously been granted for similar mansard front roof extensions to No 49 and to 81 and 83 Finlay Street, albeit that these had not been implemented at the time of my visit. Nevertheless, there are already front dormers to 83 and 85 Finlay Street so that the roof of that terrace is not uniform. In addition, No 49 sits on the corner of Woodlawn Road. The permitted extension would therefore affect only one end of the roofline of the terrace, and would somewhat mirror the development across the junction where I saw that No 47 is the only building in its terrace with a front mansard.
9. In proposing extensions to each of 49-55 Finlay Street, the appeal development could provide for a more uniform appearance to the appeal terrace. However, the properties are in different ownership, and I have no firm details to indicate that the owners have any control over the other land within the site outside of their ownership. Accordingly, I consider that a condition to require that the works to each property were carried out simultaneously would not be reasonable or enforceable. In the absence of any legal agreement or other mechanism to properly secure the carrying out of the development as a whole, I cannot be sure that each extension would be completed. I am concerned that there could therefore be a situation where extensions were carried out to just one or two of the properties, or even to three of them leaving a gap in the roofline between extensions. This could lead to an irregular roofscape to the terrace, and to mansard extensions set both physically and visually apart from the extensions to the opposite side of Woodlawn Road by intervening roofslopes in the terrace that had not been extended in this way.
10. I find that piecemeal development of this nature would harmfully erode the uniformity of the currently unaltered front roofline of the terrace group on the appeal site. Such a relationship would not be unusual in the wider street scene,

but it would introduce an incongruous and visually intrusive element that would stand out conspicuously against the relatively intact roofscape which is currently a notable feature of the Finlay Street street scene beyond the Woodlawn Road junction. The visual impact of the development would therefore be increased, and in this regard, the context of the appeal site differs from development to the other side of the Woodlawn Road junction where front roof extensions are relatively common. Accordingly, the fact that permission may have been granted for front mansard extensions to 1, 3, 5 and 7 Finlay Street without a mechanism to require implementation of every extension does not offer compelling justification for the appeal proposal.

11. For these reasons, I cannot determine that the development would not detract from the character and the appearance of the host terrace and area, and I am unable to conclude that the character, appearance and significance of the CA would be preserved. Given the scale of the development and the localised nature of the effect, the harm to the significance of the CA would be less than substantial in the terms of the National Planning Policy Framework ('the Framework'). Nevertheless, the Framework states that heritage assets are irreplaceable and great weight should be given to their conservation. I find that there are no public benefits sufficient to outweigh the less than substantial harm that would be caused to the significance of the CA.
12. As a consequence, I can only conclude that the proposal would cause unacceptable harm to the character and the appearance of the host buildings and of the Bishops Park CA. There would accordingly be conflict with Policies DC1, DC4 and DC8 of the Local Plan 2018 which include requirements broadly for development that is compatible with its surroundings, that respects the existing context, and that conserves the significance of the historic environment.

Conclusion

13. For the reasons given above, I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached.
14. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR