



Appeal Decision

Site visit made on 9 May 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 June 2023

Appeal Ref: APP/H5390/D/23/3317639

96 Iffley Road, Hammersmith and Fulham, London, W6 0PF

- 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 Bradshaw against the decision of the London Borough of Hammersmith and Fulham.
 - The application Ref 2022/03335/FUL dated 14 November 2022, was refused by notice dated 10 January 2023.
 - The development proposed is erection of rear roof extension raising the roof ridge by 300mm; Installation of 3no roof lights to front roof slope; Installation of obscure glazed screens and metal balustrade around part of the flat roof of the existing back addition at 3rd floor in connection with the formation of a roof terrace.
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Decision

1. The appeal is allowed, and planning permission is granted for erection of rear roof extension raising the roof ridge by 300mm; Installation of 3no roof lights to front roof slope; Installation of obscure glazed screens and metal balustrade around part of the flat roof of the existing back addition at 3rd floor in connection with the formation of a roof terrace at 96 Iffley Road, Hammersmith and Fulham, London, W6 0PF in accordance with the terms of the application ref 2022/03335/FUL dated 14 November 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
 - 2) The development shall not be carried out except in complete accordance with the details shown on submitted plans: location and site plan IR02 P01, proposed basement, ground and first floors IR02 P05, proposed second floor and roof plans IR03 P06 and proposed sections and elevations IR03 P07;
 - 3) The development hereby approved shall be carried out and completed in accordance with the materials details (including colour and finish) specified below:
 - Roof extension and replacement front roof tiles: Natural or artificial slates.
 - Dormer's face/cheeks: Clad in slate.
 - Windows: Timber frame sliding sash window, painted in white.
 - Balustrades for the roof terrace: 1.7m high obscure glazed screens to the sides/perimeters and 1.1m high metal railings painted in black.

The development shall be permanently retained in accordance with the approved details. Any works of making good to existing elevations shall be carried out in materials to match the elevation to which the works relate.

- 4) The raised party walls for the rear roof extension shall be constructed of London stock brick to match the existing dwelling in terms of brick colour, bond pattern and mortar colour; shall follow the shape of the roof structure; and shall not project more than 250mm above the external face of the roof structure. The party walls shall be permanently retained in this form thereafter;
- 5) The rooflights hereby approved shall be conservation style, installed flush within the roof plane they are situated in and retained as such permanently thereafter;
- 6) The terrace hereby approved shall not be first used until the privacy screening and the metal balustrade have been installed as shown on approved drawings nos. IR03 P06 and IR03 P07. The privacy screen shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terrace along the north and south elevations. The metal balustrade shall have a height of 1.1m above the finished floor level of the terrace along the east/rear elevation. The privacy screen and metal balustrade shall thereafter be permanently retained as approved;
- 7) Other than the area shown as a terrace on the approved drawing no. IR03 P06, no part of the remainder of the roof atop of the existing back addition shall be converted into or used as a terrace or other open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the remaining roof. No railings or other means of enclosure shall be erected around the remaining roof and no alterations shall be carried out to the property to form an access onto this roof;
- 8) No water tanks, water tank enclosures or other structures shall be erected upon the roof of the extensions hereby permitted.

Main Issue

2. The main issue is the impact of the proposal upon the character and appearance of the parent building, terrace row as well as the Bradmore Conservation Area.

Reasons

3. The appeal site is a two-storey and basement mid terraced property located on Iffley Road within the Bradmore Conservation Area (CA). Section 72 of the Planning (Listed Buildings in Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the CA. In this context, preserving can also be taken to mean doing no harm.
4. The Council's report confirms that the refusal reason is not based upon the installation of 3 roof lights and re-roofing of the front roof slope with slate. This is considered to result in only neutral which would maintain a satisfactory appearance and that the roof extension would involve an increase in ridge height, which would maintain the pitch of the front roof slope where visually, the increase in ridge height would not appear out of place as it would follow the angle of the existing roof. The increase in ridge height is not considered to result in significant impact to the host property when viewing from within the

street scene. I have no reason to conclude differently on these elements and, for the avoidance of doubt, this appeal will focus upon the element which has resulted in the reason for refusal – the scale and design of the dormer in conjunction with the other elements of the proposed extension to the rear roof slope.

5. The appeal site benefits from an existing planning permission (2022/00358/FUL) which is for the erection of a rear roof extension, involving raising of the ridge height by 300mm, installation of 3 no. roof lights in the front roof slope, formation of a roof-terrace around part of the flat roof of the existing back edition at 3rd floor level, enclosed with 1700mm high obscured glaze screens on the side boundary elevations and a 1100mm high metal balustrade to the rear elevation, re-roofing of the front roof slope with slate. As a comparison between 2022/0358/FUL, and the proposal before me, the dormer has been enlarged. The appellant's submission confirms that the proposed dormer would result in an overall increase in the region of 1.5m.
6. Ultimately, there is an extant planning permission for a roof extension which is similar in most respects, with the exception of the dormer window being an additional 1.5 metres wider within the appeal proposal. I find that it is reasonable, and fair, to consider that if this appeal failed, the appellant would implement the existing permission, which I find would have largely the same impacts as the proposal before me. This is a material consideration to which I give strong weight.
7. At the time of my site visit, and from the appellant's submissions, I find that the rear roof scape in the general vicinity of the appeal site is varied in both character and appearance as a result of roof extensions of different types and sizes within the CA. The Council's report confirms that given the mid-terrace location of the application site, the proposed screens would not be visible from any public vantage point and, as such, there would be no undue harm to the character or appearance of the street scene.
8. If the obscurely glazed screen and balustrading is limited in views, I find that the proposed dormer being larger at the centre of the roof, which is the subject of the refusal, is also unlikely to be visible or have impact upon the appearance of the CA. As a result of the varied roof extensions within the vicinity of the appeal site, I find that roof extensions are generally part of the character of the area, and that the appeal proposal would not cause harm to the character of the CA or terrace row. It is also, of course, a relevant consideration that the appeal site benefits from an extant planning permission for broadly the same proposals, with the exception of the increased dormer.
9. The increase in the size of the dormer would result in the balustrade on the southern elevation of the roof terrace being installed between the dormer window and it would not follow the vertical hierarchy of the building, but I do not find that cumulatively, all three elements would appear overly cramped at level in an incongruous and awkward manner. An increase in this case, of 1.5 metres would not result in a complete over-development of the parent building, taking into account the existing permission before me. The original proportions of the roof would be, I find, largely lost as a result of the cumulative elements already approved in the existing planning permission. I note that the proposed dormer could have had a better relationship with the roof terrace, and

therefore the balustrading, but I do not find that this is sufficient to warrant refusal based upon the plans and evidence before me.

10. In accordance with paragraph 199 of the Planning Policy Framework 2021, when considering the impact on the proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. I do not find that the proposal would negatively impact or cause harm to the character or appearance of the property, terrace or wider CA and it would, on the basis of doing no harm, preserve the character and appearance of the CA.
11. The proposal would be consistent with London Plan 2021 (LDN) Policy HC1, which requires that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets significance and appreciation within their surroundings. The proposal would be consistent with Hammersmith and Fulham Local Plan 2018 (LP) Policy DC1, which requires that development within the Borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. The proposal would also be consistent with LP Policy DC4 which requires a high standard of design in all alterations and extensions to existing buildings which should be comparable to the scale and character of the existing development, neighbouring properties and their setting as well as being subservient and should never dominate the parent building in bulk, scale, materials, or design. The proposal would be consistent with LP Policy DC8, which seeks to conserve the significance of the Borough's historic environment by protecting, restoring, and enhancing its heritage assets.

Conditions

12. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. Conditions relating to materials are required to ensure a satisfactory external appearance as is a condition requiring roof lights to be conservation style, flush within the roof.
13. Conditions relating to privacy screening, obscurity, and no further use of the roof as a terrace or amenity space is required to allow the impact of any further proposed changes upon the amenities of neighbouring occupants with regard to overlooking, privacy, and potential noise and disturbance. A condition requiring no water tanks, water tank enclosures or other structures shall be erected upon the roof of the extensions to ensure the proposal is maintained, not only in accordance with the approved plans, but also in a manner which is appropriate for the location within a CA by preventing further cumulative development without appropriate consideration within a formal application.

Conclusion

14. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR