



Appeal Decision

Site visit made on 8 June 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2023

Appeal Ref: APP/H5390/W/22/3313384

58 Lillie Road, London, SW6 1TN

- 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 Camilla Gibbs against the decision of the London Borough of Hammersmith and Fulham.
 - The application Ref 2021/03810/FUL dated 24 November 2021, was refused by notice dated 5 October 2021.
 - The development proposed is erection of an additional floor at main roof level.
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Decision

1. The appeal is allowed, and planning permission is granted for erection of an additional floor at main roof level at 58 Lillie Road, London, SW6 1TN in accordance with the terms of the application ref 2021/03810/FUL dated 24 November 2021 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 the following approved plans: 101(P) block and location plans, 108 (P): Proposed Lower Ground and Ground Floor Plans, 109 (P): Proposed First and Second Floor Plan, 110 (P): Proposed Loft and Roof Plan, 111 (P): Proposed Front and Rear Elevations, 112 (P): Proposed Side Elevation 01, 113 (P): Proposed Side Elevation 02, 115 (P): Proposed Section A-A- and 116 (P): Existing and Proposed Section B-B.
 - 3) The development hereby approved shall be carried out and completed in accordance with the material details (including colour and finish) specified below:
 - Walls: facing brick to match the existing building in terms of brick-and-mortar colour and bond pattern;
 - Faces of extension: hung tiles which shall match the colour, shape, and size of the existing roof;
 - Dormer: materials to match the existing building;
 - Window opening to the front and rear elevation of the extension: Timber frame to match colour, style, detail and finish to match the existing fenestration.

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 works relate.

- 4) No part of any roof of the additional roof extension hereby approved shall be used as a roof 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;
- 5) No water tanks, water tank enclosures or other structure shall be erected upon the roof of the extension hereby permitted.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.

Main Issue

3. The main issue is the impact of the proposal upon the host dwelling (as a Building of Merit) and the subject terrace.

Reasons

4. The appeal site is a residential dwelling, within a terrace, which is also a Building of Merit. At the time of my site visit, and within the documentation before me, I note that within the immediate terrace row there are examples of additional floors at 38, 48, 50 and 52 Lillie Road. Of these, it is stated by the Council that three examples do not benefit from planning permission, and one is a historical permission, but despite this there is no suggestion that any of these additions are (or could be) subject to enforcement action which could ultimately result in their removal. I find, therefore, that within the immediate terrace within which the appeal site stands, additional floors are part of the character of the terraced row, and this should be taken into account in considering the impact of the appeal proposal.
5. In addition to the above I also note that 46 Lillie Road was recently granted permission for an additional floor at roof level (2021/01705/FUL) which was ultimately allowed at appeal. The appeal decision, and approved plans, have not been submitted as part of this appeal but, whilst not yet implemented, it is indicative of further potential changes to the terrace already having been allowed. The Council highlight that the Inspector placed weight upon a set-back which meant the additional floor which was allowed would not be visible from the street scene and therefore would not disrupt the rhythm, cohesion or general appearance of the host property, or the terrace in which it stood.
6. In the case of the appeal before me I find the proposal would likely be visible within the street scene. Whilst the set back within the appeal proposal would be, overall, limited I do not find that the proposal would be visually prominent or overly dominant when viewed from within the street scene as a result of the height of the building as well as the overall setting of the appeal site and the relatively varied street scene with the back-drop being much more substantial buildings which compete for general visual attention within the setting of the

- appeal site. In addition, there are the existing roof additions within the terrace row as outlined.
7. The proposal would likely have a higher level of visibility at the front elevation than that approved at 46 Lillie Road, however, I do not find that this visibility would be to such an extent that it would have an unacceptable impact upon the host dwelling or the terraced row. I do not find that the extension would appear as an incongruous mass above the parapet, nor that it would detract from the continuous effect of the parapet. The proposal would result in the loss of some of the valley roof, however, a rear outer section of the existing roof would be retained which I find would assist in maintaining some rhythm of the roof scape to the rear of the terraced row. The proposal would effectively integrate with the architecture of the Building of Merit.
 8. I acknowledge the Council's Urban Design Team objection; however, I cannot agree that the appeal terrace is largely unspoilt by such development and that the terrace is largely unimpaired with a uniform appearance in this case based upon the outlined evidence above as well as what I saw at the time of my site visit. The proposal would not be directly adjacent to the existing cluster of additional floors, but it would still be viewed in the same vein as the subject terrace where such additions are, as outlined above, characteristic and part of the appearance of the overall terrace row.
 9. Based upon the existing additions at roof level within the terrace row, the overall setting of the appeal site and the character of the area, I do not find that the introduction of an additional floor at the host property would result in an imposing or incongruous development at roof level that would further erode the character and appearance of the host building or terrace. The application terrace is already notably impacted by such extensions.
 10. The proposal would be consistent with Hammersmith and Fulham Local Plan 2018 (LP) policy DC1, which requires development to create a high-quality urban environment that respects and enhances its townscape context and heritage assets and LP Policy DC4 which requires development to be compatible with the scale and character of the existing development, neighbouring properties, and their setting as well as successfully integrating into the architecture design of the existing building and be subservient and not dominate the parent building in bulk, scale, materials, or design.
 11. 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 which include buildings and features of local interest. The proposal would also be consistent with Planning Guidance Supplementary Planning Document 2018 Key Principle BM2 which seeks to avoid harmful alterations to buildings that are of local townscape, architectural or historic interest including buildings identified on the Council's register of Buildings of Merit.

Conditions

12. The Council has suggested conditions within their questionnaire which I have considered as appropriate. A time condition is attached to comply with Section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring 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.

13. A condition requiring no water tanks, water tank enclosure or other structures is required 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 as a Building of Merit by preventing further cumulative development without appropriate consideration within a formal application. A condition preventing use of part of the approved extension being used as a roof terrace or any form of open amenity space, as well as restricting items placed on the roof, is required to ensure no harm to existing residential amenities of the occupiers of neighbouring properties as a result of overlooking, noise, and disturbance.

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