



Appeal Decision

Site visit made on 30 January 2024

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 March 2024

Appeal Ref: APP/H5390/D/23/3334816 50 Britannia Road, London SW6 2JP

- 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 Eugene Gaal against the decision of the London Borough of Hammersmith and Fulham.
 - The application Ref 2023/02025/FUL, dated 31 July 2023, was refused by notice dated 19 October 2023.
 - The development proposed is the erection of an additional floor at the main roof level, including the formation of a roof terrace to the front elevation.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of an additional floor at the main roof level, including the formation of a roof terrace to the front elevation at 50 Britannia Road, London SW6 2JP in accordance with the terms of the application, Ref 2023/02025/FUL dated 31 July 2023 and the plans submitted with it subject to the conditions: -
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Site Location Plan 2149/OS, Existing Plans, Ref. 2149/01-2A, Existing Elevations, Ref. 2149/01-3B, Existing Street Section, Ref. 2149/01-4B, Proposed Plans, Ref. 2149/02-2D, Proposed Elevations, Ref. 2149/02-3E and Proposed Street Section, Ref. 2149/02-4E.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Application for Costs

2. An application for costs was made by Mr Eugene Gaal against the London Borough of Hammersmith and Fulham. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the host property and surrounding area, including the Moore Park Conservation Area.

Reasons

4. The mid-terrace property is located on the eastern side of Britannia Road which links between Fulham Road and Moore Park Road. It forms part of the Moore Park Conservation Area (MPCA) with its character and significance derived from the street patterns and the mix of architectural styles and building types with many sharing similar materials and features.
5. No. 50 Britannia Road is part of a terrace of 5, three-storey properties with replicating architectural details. The end property, No.44, has a mansard roof addition, but otherwise, there are no visual signs of alterations at the roof level. However, I am aware that planning permission has recently been granted for a roof addition to No. 52 at the other end of the terrace¹.
6. To the other side of the road all but one of that terrace (Nos.51 to 65) have roof additions. Within the surrounding area four-storey buildings, including numerous achieved through the addition of mansard roofs to three-storey terraced properties, are prevalent. Nonetheless, other than the interruption at the southern end, the terrace in which the appeal property is located has unity and consistency in the roof line.
7. The proposed mansard development would be set back from the front elevation with a small terrace area retained in front. The height of the mansard roof would sit below the raised side parapet walls and chimney. The section plan (proposed street section - 2149/02/-4E as revised) indicates that the extent of the addition would not be visible to someone standing on Britannia Road opposite, and the lack of visibility is further endorsed by the images in the appellant's appeal statement. The details for that visual assessment have not been verified, but from my observations, the existing roof features (chimneys and the door to the terrace) cannot be seen from the street. Whilst in wider views part of the structure may be seen, this would not be to the extent that it would be intrusive or a dominant feature. Views from the south are screened by the existing roof addition to No.44, and the raised chimney, which would be higher, is a feature which commonly protrudes above the roof line. Additionally, given it is a mid-terrace property and located halfway along Britannia Road any visibility from Fulham Road would be in the context of the other buildings as part of the street scene.
8. In opposing the development, the Council places importance on an appeal decision relating to a proposed roof addition to No.46 which was dismissed in 1999. The details of that actual scheme are not before me, but from the decision, it was to be positioned directly behind the front parapet wall and was found to be clearly visible from a number of locations along Britannia Road. Therefore, there are differences in the design and siting of that scheme compared to this proposal. Additionally, whilst the duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, is still the same, the Development Plan has changed and there will have inevitably been alterations to other properties in the surrounding area in the intervening period. To that end, the appellant has referred me to more recent examples nearby (Church Row, Moore Park Road, 52 Britannia Road, and 503 Fulham Road) where roof additions have been approved.

¹ Council reference 2023/00166/FUL

9. Whilst there is a need for consistency in decision-making, each proposal is to be considered on its own merits. Given the design and position of the proposed roof addition, I do not find that it would be visually intrusive to result in detriment to the appearance of the property, nor would it detract from the cohesion of the terrace. In this context, it would not erode the character and appearance of the area or be harmful to the significance of the MPCA.
10. Thus, I find that the proposal would accord with the requirements of policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018 (Local Plan) which seek that developments create a high-quality urban environment and that extensions are compatible with the existing development and setting having regard to scale, form, height and mass, and the impact on the skyline silhouette. The proposal would also preserve the MPCA consistent with Local Plan policy DC8, and the principles CAG2 and CAG3 of the Planning Guidance Supplementary Planning Document (2018) to conserve the significance of the Borough's historic environment and be consistent with the character of the conservation area.

Conditions

11. In line with the statutory requirements and for certainty, conditions are imposed to ensure that the scheme is carried out in accordance with the appropriate timescale and the submitted plans. It is also necessary, in the interests of the appearance of the property and the conservation area setting, for the materials to match the existing property.
12. The Council has also suggested conditions to prevent a roof terrace and additional structures to the roof. However, the property has an existing terrace with a small area to be retained as part of this proposal. There would be no access to the roof of the proposed addition and any development above the height of the roof would require planning permission, therefore I do not find that further conditions are necessary.

Conclusion

13. For the reasons set out and having regard to all other matters raised the appeal is allowed.

G Ellis

INSPECTOR