



Appeal Decision

Site visit made on 9 April 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 24 April 2024

Appeal Ref: APP/H5390/D/23/3336406

12 Woolneigh Street, London, SW6 3AX

- 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 J Lorimer against the decision of Hammersmith and Fulham London Borough Council.
 - The application Ref 2023/02427/FUL, dated 18 September 2023, was refused by notice dated 13 November 2023.
 - The development proposed is the erection of a rear extension at second floor level, over part of the first floor back addition; erection of a rear extension at first floor level, to the side of existing back addition; replacement of an existing dormer window with a new enlarged dormer window to the rear roofslope; replacement of front elevation windows.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a rear extension at second floor level, over part of the first floor back addition; erection of a rear extension at first floor level, to the side of existing back addition; replacement of an existing dormer window with a new enlarged dormer window to the rear roofslope; replacement of front elevation windows at 12 Woolneigh Street, London, SW6 3AX in accordance with the terms of the application, Ref 2023/02427/FUL, dated 18 September 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the submitted plans.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those described on the application Plans, drawing No.17476.P.114 and in the Design and Access Statement, September 2023.
 - 4) No part of the roof of the pod and first floor side infill extension hereby approved shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roof. No railings or other means of enclosure shall be erected on the roof, and no alterations shall be carried out to the property to form access onto the roof.

Preliminary matters

2. The application form described the proposed development as “End terrace house to be refurbished internally along with extensions to the roof over the outrigger at the rear in a mansard style, as well as an infill style rear extension to the first floor.” The council changed this to the description used in the heading above, as did the appeal form. I have adopted it as it more clearly identifies the development proposed.

Main Issue

3. The officer’s report notes that the proposed window replacement on the front elevation at ground and first floor level that would be like for like sash timber frame painted white would be visually acceptable, and the proposed alterations to the window on the rear roof extension would be of an adequate size and is considered visually acceptable. Therefore the main issue in this case is the effect of the proposed first and second floor extensions on the character of the dwelling,

Reasons

4. The appeal site is a three storey Victorian end of terrace property occupying a corner plot, with the primary frontage facing onto Woolneigh Street and the side of the building running along Settrington Road. This is a common relationship in the area with the side elevation of the terraces in side roads fronting onto Settrington Road. The property is located close to the boundary of the Hurlingham Conservation Area, located to the west of the site on the opposite side of Settrington Road.
5. The surrounding area is predominantly residential in character, consisting mainly of two and three storey terraced properties with a 19th century Victorian architectural form. Residential extensions of varying forms are common in the surroundings, and this is particularly prevalent at roof level where many properties have roof extensions and roof lights, etc. Therefore, whilst the original architectural design of the properties is of a similar character with sash windows and front bay features there is a significant degree of variation between individual properties reflecting the assortment of alterations over time.
6. The first of the controversial elements would be a flat roofed extension above the existing mono-pitched outrigger, this would have a mansard form with the side consisting of an angled steeply pitched roof on the Settrington Road side. The second element would be a side extension to the outrigger, with a largely flat roof extending out to the flank boundary.
7. The officer’s report, when explaining the impact of the extensions, deals largely with the ‘generally accepted’ percentage of extension over the original length of the building. For the appellant, this is described, with some justification, as being an ‘over formulaic approach’. However, the starting point is the development plan, which in this case is Hammersmith and Fulham Local Plan 2018. The policies referred to in the refusal notice are DC1, DC4 and DC8. Since the plan and its policies are well know to both parties, I will only make brief reference to the most germane elements.

8. Policy DC1 – ‘Built Environment’ is a general policy that seeks to ensure that all development respects and enhances its townscape context and heritage assets. Policy DC4 – ‘Alterations and Extensions’, relates to existing buildings, seeking to ensure that development is compatible with the scale and character of the existing development, neighbouring properties and their setting; that they successfully integrate into the architectural design of existing buildings and are subservient to the parent building. Policy DC8 – ‘Heritage and Conservation’, states that the Council will conserve the significance of heritage assets. The policy states the following with regards to the impact on setting of heritage assets: *“...when determining applications affecting heritage assets, the council will apply the following principles:
... c. applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within their setting;”*.
9. In making judgements in the light of these policies, the necessary starting point is the present form of the subject building, its neighbours and the general surrounding. It is clear that since its Victorian origin, the appeal house has been much altered; originally it appears that it and its neighbours would have had dual-pitch main roofs. As an example of a flank elevation onto Settrington Road, No.24 Friston Street provides a good idea of the original form of 12 Woolneigh Street, as shown 2.6 ‘Context Study’ of the Design and Access Statement by Whiteman Architects.
10. Looking at the rear of the appeal site from Settrington Road, one now sees the Mansard roof with 2 dormers (a common form of extension in this area) and the outrigger largely hidden behind a parapet and glazed roof to a ground floor extension, the flank wall of which stands at the back of the footway. These elements do not successfully integrate into the architectural design of the building, and cannot be described as a visually pleasing composition.
11. A distinct advantage of the appeal scheme is that it has been designed to integrate the new elements into the existing situation, so that they are seen much more as a coherent whole. Admittedly the flank and rear would thereby take on a modern appearance, but it would be a positive contribution to the streetscene, and would still enable the original elements to be discerned. It cannot be said that the new additions would appear as subservient to the building in its present form, but I consider that it would largely meet the requirement of policy DC4 in ensuring that development is ‘compatible with the scale and character of the existing development, neighbouring properties and their setting; that they successfully integrate into the architectural design of existing buildings’. This is because of the extent and character of much of the alterations that have taken place to the houses in the area to the east of Settrington Road, giving rise to the present character of the area.
12. Turning to policy DC8– Heritage and Conservation, the appeal site is in close proximity to the boundary of the Hurlingham Conservation Area, that encompasses the western frontages of Settrington Road and Wandsworth Bridge Road. The area between these two roads is therefore part of the setting of this heritage asset, and therefore the effect of the appeal development needs to help conserve and make a positive contribution, as required by DC8c.
13. For the reasons that I have mentioned in paragraph 11, I consider that the appeal development is well designed, and largely conforms to the requirements

of policy DC4. The appeal development would replace the present visually unsatisfactory extensions to the house, with a scheme that combines the existing extensions into a coherent whole. Whilst it would be in a modern idiom, it would present a more satisfactory appearance in the setting of the conservation area, rather than be a detraction as are some of the monolithic flank elevations that look west across Settrington Road, that reflect little of the original buildings. The outcome of the scheme would be a more positive contribution to the setting of Hurlingham Conservation Area.

Conclusions

14. I give little weight to the percentages of increased depth referred to in the officer's report, partly as there seems to be no policy support for it, and partly because they represent a formulaic approach which can be helpful in analysis, but should not dictate the decision. When it comes to the matter of visual dominance, the comparison here is the poorly related present elements with the more considered and coherent proposal. I accept that the present proposal, in having greater bulk, has more visual impact, but the quality of that impact is a considerable improvement.
15. As to the matter of subservience, it could not reasonably be said that the proposal dominates the parent building – one of the criteria within policy DC4. Rather the extensions successfully integrate, or perhaps more correctly, improve the integration of the architectural design of the existing building – another criterion in DC4.
16. Furthermore, the proposal must be seen against the general character of the area that arises from the side and rear elevations of the houses that flank the eastern side of Settrington Road. In that context, the proposal would be in keeping with the character, albeit that it would be a rather modest feature when compared with some others.
17. Finally, I consider that the proposal would, if anything, improve the architectural quality of the building, which in turn would be supportive of the quality of the setting of Hurlingham Conservation Area.
18. For these reasons, I will allow the appeal.

Conditions

19. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested a number of conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance (PPG), and amended them where necessary for clarity. I consider that the conditions should be imposed for the following reasons: condition 2 is required for certainty and avoidance of doubt as to the development permitted; condition 3 is to ensure that the appearance of the development permitted shall be finished externally in accordance with the materials specified in the application; and condition 4 is to ensure no disturbance or loss of privacy to occupiers of neighbouring property.

Terrence Kemmann-Lane

INSPECTOR