



Appeal Decision

Site visit made on 4 June 2024

by A Veevers BA(Hons) PGDipBCon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2024

Appeal Ref: APP/H5390/W/23/3332964

32 Cromwell Grove, London W6 7RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Guy Watson against the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2023/00863/FUL.
 - The development proposed is described as 'erection of a rear roof extension; erection of a dormer to the side roofslope erection of a side infill extension to the existing third floor back addition; installation of a rooflight in the front roofslope; erection of a balustrade on top of flat roof of third floor back addition, in connection with its use as a roof terrace'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Differing to the address provided on the application form, the correct address is that given on the appeal form and on the Council's notification of the application and is the address I have used in the banner heading above.
3. The description of development provided on the planning application form read 'Erection of dormer and roof extension as shown in the attached proposed drawings'. The Council changed the description to that in the banner heading above, which more accurately describes the proposals as shown on the plans. This description was used for the purposes of notification of the application, and I am satisfied that no party will be prejudiced by my use of it.
4. The appeal was made following the failure of the Council to give notice of their decision on the application within the statutory period. The Council have confirmed that were they to have issued a decision, they would have refused planning permission. I have been provided with what would have been their reasons for refusal as part of their Statement of Case, which the appellant has also commented upon.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host property and the area, with special attention to the Melrose Conservation Area (the CA).

Reasons

6. The appeal property is a first and second floor flat within a four-floor terraced period building located within the CA. Accordingly, I have had regard to the duty in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing its character or appearance.
7. The CA is relatively compact, and part of its special character is described in the Council's Conservation Area Character Profile 'Melrose', May 2001 (CACP) as its homogenous terraced development forming a grid layout between Shepherds Bush Road and Melrose Terrace.
8. From the evidence and observations at my site visit, I consider the significance of the CA, amongst other aspects, is derived from the relatively uniform tree-lined streets of ornately detailed brick three storey period terraced residential buildings. Not all properties on each street include the same detailing, and there are some more recent residential properties along some streets in the CA as well as ground floor commercial properties along Shepherds Bush Road. However, the consistency of Victorian building period, height, bays and proximity to the street provide, in so far as it relates to this scheme, a recognisable consistency and aesthetic value to the area's character and appearance.
9. The appeal building is an end terrace of a block of six properties, a common block arrangement in the area. At the rear, the property and its neighbours have more modest elevations, incorporating less architectural detailing of their front façades and incremental alterations and additions of varying designs and sizes. The appeal building incorporates many of the important design elements and original roof form which reinforces its architectural integrity and contributes positively to the significance of the CA.
10. Although the proposed side dormer would be located towards the rear of the hipped roof, due to its location behind one of the chimney stacks, it would unacceptably unbalance the appearance and rhythm of the roof form. At my site visit I saw other side dormers in the area. Those dormers that were located between the chimney stacks on end terraces, for example at Nos.20 and 41 Cromwell Grove, retained the aesthetic value of the original roof form, whereas the proposed side dormer would be an insensitive addition to the roof, further exacerbated by its noticeable windowless design.
11. The third floor of the existing rear outrigger incorporates a staircase under a sloping roof which leads out to a small terrace on the flat roof of the second floor. Whilst the proposed third floor extension itself would not appear overly prominent, the combination of the removal of the sloping roof, and infilling the space to create a roof terrace enclosed by a relatively high glazed balustrade would diminish the character of the originally designed pitched roof rear outrigger. Furthermore, due to its height, the balustrade would conceal the chimney between the appeal property and No.34 Cromwell Grove (No.34), an important architectural feature of the terrace.
12. The proposed roof extension would substantially alter the existing hipped rear roof to create a fully glazed gable that would span the full width of the dwelling. The design of the gable projection together with its scale would add disproportionate complexity to the appearance of the roof and disrupt the

architectural composition of the building, including the original hipped end terrace form. The extensive amount of glazing would be a prominent feature on the roof which would be particularly apparent during hours of darkness when lights inside the room could be on. Furthermore, the large expanse of window would exceed the width of windows below and appear as a disproportionately large opening that would not relate sympathetically to the hierarchy of windows on the rear elevation.

13. Consequently, the proposal would be a discordant addition to the rear elevation of the building and the terraced roofscape. It would appear visually incongruous in relation to the host building, the terraced row and in views towards the rear of the terrace.
14. Paragraph 5.10 of the CACP advises that views to the rear of terraces within and outside the conservation area are important. Although views from public vantage points would be limited, the proposal would be clearly visible between the gap along Melrose Terrace where the rear elevations of properties at the western end of Cromwell Grove can be seen. It would also be clearly visible from the windows and balconies of surrounding dwellings. In all these views, the proposal would be a harmful addition to the building and roofscape.
15. I acknowledge that the original symmetry between the appeal property and No.34 has been somewhat lessened by previous extensions at the upper floor levels of No.34, and the property at No.30 Cromwell Grove incorporates substantial alterations to its rear elevation. However, from what I saw and have read in evidence, it is apparent that these alterations were carried out a considerable time ago, prior to the designation of the CA, the adoption of the Hammersmith and Fulham Local Plan, February 2018 (HFLP) and the National Planning Policy Framework (the Framework).
16. It was also apparent from my site visit that alterations and extensions to rear elevations, along with roof extensions, are common within the local area and the wider CA. To some extent, the original rhythm along the rear elevations of this part of Cromwell Grove has been diminished by the multitude of alterations to individual properties. Nevertheless, I saw none along Cromwell Grove that were directly similar to the proposal, particularly with regards to the hip to glazed gabled roof extension, although a glazed roof addition on the rear elevation of a building on Sulgrave Road was visible from Melrose Terrace. However, I am unaware of the specific circumstances of that extension and given its corner location and relationship with neighbouring properties it is appreciably different to the proposal before me. In any event, the existence of other discordant examples does not justify further harm.
17. The proposed front roof light would have an acceptable effect upon the character and appearance of the host building and area. Nevertheless, this aspect of the proposal is insufficient to overcome the overall adverse effects of the dormer, third floor outrigger extension with balustraded roof terrace and main roof extension that I have described.
18. For the reasons given above, the proposal would harm the character and appearance of the host property. Whilst the appeal building is a small component of the CA, the effect of the development would be clearly apparent as a detracting and prominent feature that would diminish the significance of the CA and fail to either preserve or enhance its character or appearance. Heritage assets are irreplaceable and great weight should be given to their

conservation. The harm would be localised to views along this part of the street. As such, the effects would be less than substantial in the context of paragraph 208 of the Framework. In accordance with paragraph 208, I must balance that less than substantial harm against any public benefits.

19. The appellant is seeking to improve the property, which is situated in a highly sustainable location, and the proposed extensions would improve the living conditions of the occupants. However, these would essentially be private benefits. Any benefits to the public that there may be, would be very minor to which I ascribe very limited weight. There would be local economic benefits associated with the construction of the proposed extensions, which would be public benefits but would be temporary and minor in scale, so would carry limited weight. The absence of harm in relation to other matters, including the living conditions of neighbouring residents and flood risk, weigh neither for nor against the proposal. As such, the public benefits do not outweigh the great weight given to the harm to the character and appearance of the CA from the proposed extensions.
20. The proposal would therefore conflict with Policies DC1, DC4 and DC8 of the HFLP. Collectively, these policies, amongst other things, seek to secure a high quality urban environment compatible with the scale and character of existing development and which respects, protects and enhances its townscape context and heritage assets. The proposal would also conflict with the requirements of the Act and with guidance contained in Sections 12 and 16 of the Framework, the objective of which are to achieve well-designed and beautiful places and the conservation and enhancement of the historic environment respectively.

Other Matters

21. A lack of objections to the proposal is not a reason to approve unacceptable development. The Council's handling of the planning application has not affected my findings on the planning merits of the scheme.

Conclusion

22. The proposed development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
23. For the reasons given above I conclude that the appeal should be dismissed.

A Veevers

INSPECTOR