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## Appeal Decision

Site visit made on 27 September 2024

**by S Poole BA(Hons) DipArch MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 22 October 2024**

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**Appeal Ref: APP/H5390/W/24/3345698**

**Studio 13, Burlington Lodge Studios, 48 Rigault Road, London SW6 4JJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by R Corfield against the decision of the Council of the London Borough of Hammersmith and Fulham.
  - The application Ref is 2023/03116/FUL.
  - The development proposed is described on the application form as a roof extension.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the host building and whether it would preserve or enhance the character or appearance of the Fulham Park Gardens Conservation Area.

### Reasons

3. The appeal property forms part of Burlington Lodge Studios, a Building of Townscape Merit that is understood to have formed part of a women's prison. It is located within the Fulham Park Gardens Conservation Area (CA) which largely derives its heritage significance from the handsome Victorian residential terraces. The positive contribution Burlington Lodge Studios makes to the character and appearance of the CA is a matter to which I attach significant weight.
4. Studio 13 occupies the first floor of the northern part of the building, which is bounded on both sides by the rear boundaries of the small gardens serving the terraced houses in Rigault Road and Fulham Park Gardens. Whilst the appeal property is not visible from neighbouring streets it is highly conspicuous from the rear windows and gardens serving the houses to either side.
5. The appeal property has a flat roof that is used as outdoor space. This is accessed via a spiral staircase and a glazed roof structure, which is somewhat of an anomaly in this context. Planning permission has been granted for the "erection of an extension" at roof level to replace this existing structure<sup>1</sup>. I understand that this permission is extant but, in the absence of details of the scheme approved, I can only attribute limited weight to this permission.

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<sup>1</sup> Application reference: 2022/00995/FUL

6. The appeal proposal would comprise the removal of the existing glazed access structure and the erection of a substantially larger glazed structure that would occupy a large proportion of the width of the roof and essentially create a large free-standing roof level conservatory. In response to understandable concerns in respect of privacy, the proposal includes an obscured glass screen above the wall to the rear of the Rigault Road properties and obscured glass in the elevation on the other side.
7. The proposal would in essence replace a rather alien and incongruous, but small, roof level structure with an equally anomalous structure that would be far larger and therefore more impactful. Whilst I note that Burlington Lodge Studios includes many rooflights and expanses of glazed roof these do not rise any great distance above roof level and do not create useable accommodation. Due to its siting, size and materials the appeal proposal would therefore have an unacceptable effect on this Building of Merit and, as a consequence of this, would fail to preserve, and cause substantial harm to, the character and appearance of the CA.
8. For these reasons I conclude that the proposal fails to accord with Policies DC1, DC4, DC8 and HO11 of the Hammersmith and Fulham Local Plan (2018) which, amongst other matters, seek to ensure that development achieves a high standard of design, is sympathetic to the architectural character of the built context, creates a high-quality urban environment, and protects the significance of heritage assets. There is also conflict with the aims of the National Planning Policy Framework (2023).

### **Conclusion**

9. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

*S Poole*

INSPECTOR