
Appeal Decision

Site visit made on 26 November 2025

by K Dryden BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal Ref: APP/H5390/W/25/3372939

50 Burnthwaite Road, Hammersmith and Fulham, London SW6 5BE

- 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 Mr & Mrs Gordon against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2024/02360/FUL.
 - The development proposed is replace existing metal terrace balustrade with timber slat.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, I observed that closely boarded timber screening has been erected directly behind the existing metal terrace balustrade to the perimeter of the outrigger terrace area.
3. However, there is a difference between the proposed plans and what appears to have been constructed, where the timber screening appears significantly higher than shown on the plans before me. It was evident at my site visit that the terrace floor level has been raised beyond the original roof height of the first floor outrigger, with a void clearly visible along the side elevation. Regardless of what has been constructed to date, I have determined this appeal based on the plans before me and any works carried out not in accordance with those plans would be a matter between the Council and appellant.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the host property and the surrounding area; and
 - whether the proposed development would provide satisfactory living conditions for the occupiers of 52 Burnthwaite Road, with particular regard to outlook and natural light.

Reasons

Character and appearance

5. The appeal site is situated within a mixed commercial and residential area comprising traditional terraces and flatted developments. The terraces along Burnthwaite Road follow a consistent building line and share coherent architectural detailing. The dwellings are set back from the highway behind small enclosed front

gardens, which contribute positively to the established character of the street scene. From my site visit, I noted that the rear of the appeal property, along with the rear elevations of the neighbouring Burnthwaite Road dwellings, is visible from several wider viewpoints in the surrounding area.

6. Although an external terrace with a balustrade already exists on the first floor roof of the rear outrigger, the height and design of the proposed timber screening would appear visually discordant. The closely boarded timber finish, together with its excessive height and boundary-edge siting, would result in an incongruous addition that fails to read as a well-integrated scheme. Overall, the proposal's scale and design would conflict with the character of the host property and the surrounding area, where the rear elevation is visible from wider public viewpoints.
7. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the host property and the surrounding area. This is contrary to Policy DC1 of the Hammersmith and Fulham Local Plan (2018) (HFLP) which requires all development to create a high quality urban environment that respects and enhances its townscape context. Furthermore, Policy DC4 of the HFLP requests a high standard of design in all alterations and extensions to existing buildings. It additionally requires proposals to be compatible with the scale and character of existing development with consideration given to scale, form, height and mass.

Living conditions of neighbouring occupiers at no 52

8. The timber balustrading would be positioned on the boundary edge of the established outrigger terrace area of the appeal property. The closely boarded timber finish, combined with its substantial height of around 1.7 m, would result in an oppressive high-level structure. Given the close relationship between the appeal property and its immediate terraced neighbour, I find that the proposal would harm the living conditions of the adjoining occupiers at no 52 through loss of outlook. It would create an overbearing and visually dominant relationship with the habitable room windows on the side and main rear elevations, as well as the small lightwell garden space of the property.
9. The Council has also raised concern regarding loss of natural daylight to no 52 and has identified a breach of the guidance in Supplementary Planning Document Planning Guidance, Key Principle HS7, Residential Development, Windows and Outlook (2018) (SPD). Although the SPD does not have the status of policy, this document is an important material consideration. The SPD states that an extension to the rear of the back addition should enable an unobstructed angle of 45 degrees to be achieved to any window to a habitable room on the ground floor of the back addition if that forms the sole window to that room.
10. The Council has identified that the timber balustrading would infringe upon the 45 degree line of the ground floor side elevation outrigger openings of no 52, two of which serve a bedroom and are stated to be the only windows to that room. I have not been provided with the assessment or floorplans of the adjoining property, but I observed the close relationship between the appeal site and no 52 during my site visit. I find that the existing relationship between these properties already breaches the SPD guidelines, as the existing outrigger of no 50 infringes the guidance, and I find there would be no further worsening in respect of loss of natural daylight to the ground floor side elevation windows.

11. It is also stated that loss of light would occur to the first floor rear elevation bedroom window of no 52, and an assessment has been made using the SPD guidance. The SPD states that where there is an existing rear addition the angle of unobstructed visibility for this purpose should not be reduced by more than 15 percent. However, I find that this is not a daylight requirement but rather an overbearing issue which I have already addressed above.
12. I therefore conclude that the proposal would cause harm to the living conditions of the occupiers of 52 Burnthwaite Road, with particular regard to loss of outlook. This is contrary to Policy H011 of the HFLP which sets out that proposals for extensions will be considered acceptable where it can be demonstrated that there is no detrimental impact on outlook from windows in adjoining properties in addition to daylight and sunlight to rooms in adjoining properties.

Other Matters

13. The appellant has drawn my attention to examples of timber balustrading on the rear outriggers along Burnthwaite Road, adjacent to the appeal property. Although it is stated that these developments pre-date the 2018 and current HFLP, I am not aware of the full circumstances of these developments. The Council has stated that the timber screening to no 54 has not been approved. Additionally, no 58 and no 60 have planning permission to erect obscurely glazed screening which was not complied with, and timber screening has been erected. Whilst I do not have the full details of these cases, each proposal must in any event be assessed on its own merits. From my site visit, I observed that these examples similarly detract from the character and appearance of the area, and therefore they do not weigh in favour of the appeal.
14. Furthermore, the appellant states that the proposal is required for privacy and safety reasons, owing to the football pitch located behind the site and balls landing on the terrace area. However, I have minimal information before me to demonstrate that these benefits could not be achieved in a less harmful manner. Accordingly, this does not amount to a material consideration of sufficient weight to outweigh the primacy of, or the conflict with, the development plan.

Conclusion

15. For the reasons given above, I find that the proposal would conflict with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, I conclude that the appeal should be dismissed.

K Dryden

INSPECTOR