



Appeal Decision

Site visit made on 18 March 2026

by **G Sibley MPLAN MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 May 2026

Appeal Ref: APP/H5390/W/25/3375651

140 Stephendale Road, First Floor Flat, Hammersmith and Fulham, London SW6 2PJ

- 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 Andrea Martelli against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref is 2025/01476/FUL.
 - The development proposed is erection of rear roof level extension with enlargement of the existing rear roof terrace; some alterations to facilitate the works and some minor demolition.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Planning permission was granted by the Council for a similar development to that proposed but smaller in size, with a glass balustrade and without the glazed extension. This permission appears to have been implemented but with a solid balustrade that is shorter than the glass balustrade that was permitted. I have had regard to the scheme as built, as well as what is proposed and the merits of the appeal.

Main Issues

3. The main issues relevant to the appeal are the effect of the proposal on the living conditions of the occupiers of 142 Stephendale Road and 2 Glenrosa Street with regard to loss of light and outlook as well as privacy; and the effect of the proposal on the character and appearance of the area.

Reasons

Living Conditions

4. The appeal property is a mid-terrace dwelling with a rear outrigger and an implemented roof terrace. The proposal seeks to extend the depth of this terrace, retain a solid balustrade and introduce a glazed structure. The surrounding pattern of development is characterised by terraced properties similar in form to the appeal dwelling, and several nearby properties have rear roof terraces.
5. The appeal property is situated on Stephendale Road, from which Glenrosa Street is accessed. From the existing roof terrace at the appeal property, views are possible towards the rear of dwellings opposite, including their gardens. The terrace as built does not extend to the end of the outrigger and, due to its setback,

affords only limited views into nearby gardens. The extended terrace would bring activity closer to neighbouring properties, particularly 2 Glenrosa Street, enabling direct downward views into its garden due to the limited separation distance and height of the balustrade. This would increase the possibility for overlooking of the garden. While some overlooking occurs from existing windows and terraces on other properties nearby, the proposed terrace's closer proximity and elevated position would intensify this relationship, resulting in unacceptable harm to the occupiers' living conditions.

6. There are two first-floor flank windows within 142 Stephendale Road (No. 142) that face the appeal property, one of which is obscurely glazed. The as-built terrace incorporates a solid balustrade positioned close to these windows. Whereas outlook was previously across the roof slope of the outrigger, the presence of the solid balustrade now intrudes into that previously open aspect. Although the balustrade is lower than that approved, its solid form produces a more enclosed environment and reduces the degree of light reaching these windows at certain times of day which was evident at the site visit. Extending the terrace and balustrade would intensify both the sense of enclosure and the extent of overshadowing further reducing the outlook and the light available to the occupiers of No. 142.
7. When standing on the terrace, occupiers of the appeal property are able to look over the low-level balustrade into the flank windows of No. 142. While such views require occupants of the terrace to stand towards the side and look downwards, the short separation distance and the low height of the balustrade allow unobstructed views into the room below. Prior to the installation of the terrace, opportunities for such close-range overlooking were limited. The proposal would therefore result in a material loss of privacy for the occupiers of No. 142.
8. While no formal daylight or sunlight assessment has been submitted by either party, the absence of technical evidence does not preclude decision-makers from reaching a reasoned judgement based on site-specific observations. As discussed above, given its proximity and depth, the scheme would likely lead to a notable reduction in light reaching the affected windows within No. 142 which would lead to harm to the occupiers' living conditions.
9. The proposed glazed extension would be located near the flank windows of No. 142, and its transparent construction would allow light to pass through and would not produce the same degree of visual enclosure as a solid structure. Accordingly, while the addition would introduce further mass at roof level, its glazed materiality would limit the impact on the outlook from No. 142.
10. The current modest depth of the terrace means that views into the rear upper-floor windows of No. 142 are oblique, offering only limited direct overlooking. Extending the terrace would alter the angle at which those windows would be seen from and introduce more direct views into those windows. This increased potential for overlooking would result in a further loss of privacy and would be harmful to the living conditions of the occupiers of No. 142.
11. There are numerous roof-level additions within the surrounding townscape, including terraces and glazed extensions. As a result, artificial light at this level is not uncommon. The proposed glazed structure would enable year-round use of the terrace, potentially increasing the times when light spill could occur during

extended hours of use. However, given that windows already exist within the roof of the appeal property and similar arrangements are found nearby, some light emission already occurs. As the glazed structure would not project significantly beyond the rear roof slope, any additional light spill generated would be limited and would not cause undue disturbance to neighbouring occupiers.

12. While the impacts of the solid balustrade might be reduced through the use of alternative materials, the principal harm arises from the depth and proximity of the terrace. These are inherent to the proposal and cannot be addressed through condition. The use of conditions would therefore not make the development acceptable in this instance.
13. Furthermore, given that the approved terrace would not extend as far and would be bound by a tall glass balustrade matters such as overlooking, outlook and overshadowing would be less harmful to the living conditions of the neighbouring occupiers. Accordingly, the fallback scheme would be a less harmful alternative and therefore carries little weight as a consideration in the scheme's favour in this respect.
14. Therefore, for the reasons given above, the proposal would harm the living conditions of the occupiers of No. 142 and No. 2. Consequently, the development would conflict with Policies HO11 and CC12 of the Hammersmith and Fulham Local Plan (LP). These expect development, amongst other matters, to have no detrimental impact on the privacy enjoyed by neighbours, daylight and sunlight to rooms and outlook in adjoining properties.

Character and Appearance

15. The proposal includes extending the existing terrace with a solid balustrade and a glazed structure. While rear elevations are generally screened from public views, they remain visible from neighbouring properties, where design impacts carry weight.
16. Roof terraces and roof-level additions are common in the area, with a variety of materials including glazing and tiles. In this context, the use of tiling would not appear incongruous. The glazed addition due to its transparency would allow views through to the rear of the property, limiting its perceived mass. Its siting close to the rear elevation and its modest projection would ensure that it would not substantially alter the established proportions of the dwelling or its relationship with the terrace. Given the scale and materiality of this glazed addition, it would not undermine the prevailing rhythm or consistency of development within the terrace.
17. However, the proposed terrace would be significantly deeper than comparable additions, effectively replacing the roof of the rear outrigger. Although some variation exists, the depth of terraces within the immediate group follows a broadly consistent pattern which the proposal would notably exceed. Furthermore, most terraces have glazed walls and this alongside their limited depth retains the roof form. The scheme proposed would result in a disproportionately large terrace that would disrupt the established scale and coherence of rear roof form, particularly given the solid appearance of the vertical walls compared to the glazed walls and pitched roofs retained towards the rear of most outriggers, even where terraces have been built.

18. While the appellant refers to similar developments elsewhere in the borough, the immediate context carries greatest weight. In this case, the proposal would extend beyond the prevailing pattern and alter the characteristic roof form of the terrace.
19. A fallback scheme has been approved but is materially less harmful, as it is shallower and incorporates a glazed balustrade which would be partly transparent and less visually imposing than that proposed despite being taller. This difference reinforces the conclusion that the proposed depth and solid form would result in unacceptable visual harm. Accordingly, the fallback scheme would be a less harmful alternative and therefore carries limited weight in favour of the proposal.
20. I acknowledge the appellant's position that the proposal has been informed by a high-quality, design-led approach, including the use of lightweight glazing and refined detailing. These aspects are positive and are reflected in my finding that the glazed element would have a limited visual impact and would not, in itself, appear incongruous.
21. However, good design is not limited to material selection or detailing alone; it must also address overall form, scale, proportion and relationship to surroundings. In this case, the primary source of harm arises from the extent and depth of the terrace and the spatial consequences of that expansion, rather than the architectural quality of its components.
22. Therefore, whilst elements of the proposal would not be harmful, the depth of the proposed extension to the terrace would harm the character and appearance of the area. Consequently, the proposal would conflict with Policies DC1 and DC4 of the LP. These expect alterations and extensions, amongst other matters, to be compatible with the scale and character of existing development, neighbouring properties and their setting.

Other Matters

23. The proposal would provide additional amenity space and improve the living conditions of the occupiers of the appeal property. I also recognise that it represents an efficient use of the existing housing stock and accords, in principle, with national policy objectives supporting well-designed home improvements as well as use high quality durable materials. Furthermore, the proposal would not cause unacceptable light spill. As noted above, the fallback scheme would be less harmful than that proposed and thus carries little weight in favour of the proposal.
24. However, these benefits must be weighed against the need to protect the living conditions of neighbouring occupiers and the character and appearance of the area. In this case, the identified harms to privacy, outlook, light and the character and appearance of the area carry considerable weight, whereas the benefits are limited.
25. I therefore conclude that the benefits of the proposal, while material considerations, do not outweigh the harms identified.
26. The appellant has suggested that the Council's assessment may have conflated the appeal proposal with unrelated enforcement matters or historic works.
27. In determining this appeal, I have assessed the proposal on its own merits, while also taking into account the fallback permission, and the scheme as built, both of which are material considerations.

28. My conclusions are based on the relationship between the development now proposed and its effects on neighbouring properties and the character of the area, and not on any unrelated matters.

Conclusion

29. The proposed development would conflict with the development plan as a whole, and the material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

G Sibley

INSPECTOR