

Appeal Decision

Site visit made on 24 January 2017

by Daniel Hartley BA Hons MTP MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 January 2017

Appeal Ref: APP/A5270/W/16/3161788
93 St Elmo Road, London W12 9DZ

- 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 Edward Cotterell against the decision of the Council of the London Borough of Ealing.
 - The application Ref 164209FUL, dated 16 August 2016, was refused by notice dated 11 October 2016.
 - The development proposed is the construction of a roof extension and conversion and alterations to the first floor including the rear elevation and the insertion of roof lights to the front roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a roof extension and conversion and alterations to the first floor including the rear elevation and the insertion of roof lights to the front roof slope at 93 St Elmo Road, London W12 9DZ, in accordance with the terms of the application Ref 164209FUL, dated 16 August 2016, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

3. The appeal site comprises a mid-terraced property within an established residential area and which includes a flat on the ground floor (No 91 St Elmo Road) and a flat on the first floor (No 93 St Elmo Road). It is proposed to erect a rear dormer (with Juliet balcony) and two front roof lights to the main roof of the building and a roof extension to the existing two storey rear outrigger. The extensions would provide additional living accommodation for the occupier of No 93 St Elmo Road. The proposal also includes an enlargement of a first floor rear window to the aforementioned rear outrigger.
 4. I have no reason to disagree with the views expressed by the Council in respect of the front roof slope velux windows and the enlargement of the first floor rear window. Such development would not look out of place in the street-scene (there are other front roof slope velux windows in St Elmo Road), would not cause harm to the design of the host property or have a detrimental impact
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upon the living conditions of the occupiers of surrounding residential properties.

5. As the property is mid-terraced, the rear roof extensions would be largely concealed from main public views including from St Elmo Road and Valetta Road. Therefore, public views of the proposed rear development would be very limited and essentially confined to the rear and narrow path which extends from Veletta Road to Jeddo Road, and from the rear of some properties off Davis Road. None of the occupiers of any of the properties on Davis Road have raised any objections to the proposal.
6. Whilst the proposed dormer would be full width, it would be set well back from the existing two storey outrigger and hence would not be conspicuous or dominant when viewed from the immediate area. The roof extension to the rear outrigger would be set back from the eaves and would be lower in height than the proposed dormer to the main roof. Consequently, this development would be subservient in scale. On balance, and for the collective reasons outlined above, I consider that the extensions would not be incongruous or disproportionate in scale. Therefore, material harm would not be caused to the character and appearance of the host property.
7. As part of my site visit, I was able to walk the surrounding streets. I noticed that a number of the properties in the area had rear roof extensions (some including roof balconies). Overall, there was a lack of design consistency to the rear roof slopes of the properties in the locality. In addition, I noticed that a very similar development had been built at No 105 St Elmo Road. This is also a mid-terraced property and is in very close proximity to the appeal site. The appellant has provided me with a copy of the delegated officer report and drawings associated with this planning approval (Ref 14/05/0204) for No 105 St Elmo Road, and I have found that such development does not appear out of place or incongruous within its setting. I can see no reason why the appeal proposal would also not cause harm to the character and appearance of the host property, and given the variety of roof extensions in the locality I do not consider that material harm would be caused to the character and appearance of the area.
8. For all of the reasons outlined above, I consider that the development would be of a scale (and design) that is commensurate with other roof extensions in the immediate area. Furthermore, and given the very limited public views of the rear of the appeal property, there is justification for allowing what would be relatively large extensions. I therefore conclude that the proposal would not cause harm to the character and appearance of the area, and would therefore accord with the design aims of Policies 7.4 and 7.6 of the London Plan 2016 and Policies 7A and 7B of Ealing's Adopted Development Management Development Planning Document 2013.

Conditions

9. The conditions set out in the accompanying schedule are based on those suggested by the Council. Planning permission is granted subject to the standard three year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect.

10. In the interests of the living conditions of the occupiers of Nos 87 and 89 St Elmo Road, a planning condition is necessary which ensures that the two side velux windows to the outrigger roof extension are fitted with obscure glass and are non-opening. The appellant has confirmed in his appeal statement that he would accept the imposition of such a condition.
11. In the interests of the character and appearance of the area, a materials condition is necessary.

Conclusion

12. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Daniel Hartley

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings: Drawing No 04 "Location and Block Plans"; Drawing 02 "Existing Plans and Elevations2; Drawing 03 "Proposed Sections and Elevations" and Drawing No 02 "Proposed Plans".
3. The roof extension hereby permitted shall not be occupied until the velux windows to the side roof slope (facing Nos 87 and 89 St Elmo Road) have been fitted with obscured glazing. Such windows should not be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained and the velux windows shall remain non-opening.
4. The external surfaces of the development hereby permitted shall be constructed in materials to match the existing building.