



Appeal Decision

Site visit made on 14 November 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 30th November 2017

Appeal Ref: APP/H5390/D/17/3181713

Maisonette First and Second, 47 Ongar Road, London SW6 1SL

- 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 Mrs Rosa Anna Dinoia against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2017/01867/FUL, dated 4 May 2017, was refused by notice dated 3 July 2017.
 - The development proposed is described as: "the works comprise the erection of an additional floor at roof level including formation of a front terrace. The roof extension will be used as a kitchen/living area. A small rear extension will enlarge the bathroom at mezzanine level to be used as a bedroom. The second storey of this extension will see a second bedroom added at third floor with an en-suite bathroom. Overall the works will convert the flat from a 3 bedroom property to a four bedroom property with enhanced amenity areas, a study, and bathing facilities."
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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 property and the area; and,
 - the effect of the proposal on the living conditions of the occupiers of 45 Ongar Road with particular regard to outlook.

Reasons

Character and Appearance

3. The appeal site is within a largely residential area characterised by a linear pattern of terraced streets. Ongar Road follows this pattern, with terraces of largely unaltered four storey properties. This pattern is similarly followed on Hildyard Road. The dwellings exhibit a repetitive arrangement of architectural composition with bay windows at lower and ground floor levels and sliding sash windows with stucco surrounds. The properties have shallow pitched roofs, hidden behind parapets whilst the roofline remains largely unaltered. Though there are some roof extensions within the area, these are generally low level and set back behind the parapet and not widely visible in the street scene. As a result, whilst it is not located within a conservation area, Ongar Road has a somewhat ornate, uniform character.

4. Subdivided into two maisonettes, the appeal property is located on the end of the terrace at the return of Ongar Road and Hildyard Road. Given its corner plot, the property has an entrance portico to the side, with a single storey addition to the side and rear and a two-storey rear offshoot. Nevertheless, the design of the property reflects the wider character of the street scene and as such makes a positive contribution to it.
5. The proposal would include the construction of a single storey addition to the roof of the property. The roof addition would be set back behind the parapet around 2m from the front of the property. The addition would utilise slate and white plaster walls to reflect the detailing of the existing property.
6. Nevertheless, the roof addition would project considerably above the parapet and would extend the full width of the property. It would also have a pronounced horizontal emphasis, replicating little of the local vernacular, whilst the contemporary design would be in stark contrast to the ornate detailing of the host property and the wider street scene. Moreover, given the end terrace location of the property, the addition would be widely visible from several aspects on Ongar Road and Hildyard Road. Consequently, it would appear as visually dominant and discordant feature that would be both out of keeping with the host property and disrupt the uniformity of the terrace.
7. I note that other properties on Ongar Road have been subject to similar additions. However, those properties are generally mid-terrace and the circumstances are not therefore directly comparable to those here. Furthermore, I was able to see from my site visit that such additions appear anomalous to the street scene, rather than characteristic of it. As such, the presence of those additions would not justify the harm I have identified.
8. It is also proposed to construct an extension the existing rear offshoot. The offshoot at second floor would be extended in depth in line with the first floor, whilst another level would be created above. The extension would utilise matching brickwork and would result in a consistent line in the rear wall. However, the proposal would result in the rear offshoot extending above the eaves level of the main property for its entire depth. In my view, it would be a considerable elongation of the property, in contrast to the present situation where the stepping down of the offshoot ensures a degree of subservience is maintained. As such, the extension would appear unduly dominant and unsympathetic to the host building and the area, particularly given its prominence in views from both Ongar Road and Hildyard Road.
9. I conclude, therefore, that the proposal would have a harmful effect on the character and appearance of the area. As a consequence, the proposal would conflict with Policy BE1 of the Hammersmith and Fulham Core Strategy 2011 (CS) which states that development should be of the highest standard of design that respects local context and character. It would also conflict with Policy DM G3 of the Development Management Local Plan 2013 (DMLP) which states that the Council will require a high standard of design in all alterations and extensions to existing buildings. Finally, it would conflict with the high quality design aims of the National Planning Policy Framework and the Planning Practice Guidance.

Living Conditions

10. The appeal property adjoins 45 Ongar Road which is a similarly designed four storey terraced property. SPD Housing Policy 7 of the Hammersmith and Fulham Planning Guidance Supplementary Planning Document - July 2013 (SPD) sets out guidance for rear extensions. One criteria states that the outlook from any rear window of a habitable room in the main part of a building should not be significantly worsened as a result of an extension built at a level higher than the level of the floor containing the affected window, for example, a window at first floor level which is affected by an extension at second floor level.
11. I was able to see from my site visit that No 45 contains windows in the rear elevation at upper levels. It also has a rear offshoot which projects beyond the original rear wall and contains a terrace at first floor level whilst it also has a rear infill extension at ground floor. The Council considers that the depth, scale and bulk of the proposed extension to the rear offshoot on the appeal property would result in a loss of outlook and sense of enclosure for the closest windows in the rear of No 45.
12. However, whilst the extension would undoubtedly feature in views from the rear windows of No 45, it would be sited at an oblique angle. The appellant indicates that a 45% horizontal angle from the centre point of all of the windows on the rear elevation of the main building at No 45 would not be infringed. I have no contrary evidence to suggest that would not be the case. Moreover, the extension to the rear offshoot would be offset from the shared boundary whilst the outlook from those windows is already largely compromised by the close proximity of the large, unrelieved flank wall of 10 Hildyard Road. As a result, the proposal would not, in my view, result in such an increase in the existing sense of enclosure nor appear as unduly dominant as to be harmful to the occupiers of No 45.
13. I conclude, therefore, that the proposal would not have a harmful effect on the living conditions of the occupiers of 45 Ongar Road with particular regard to outlook. As such, the proposal would comply with DMLP Policy DM G3 insofar as it states that alterations and extensions to existing buildings should take into account good neighbourliness. It would also accord with DMLP Policy DM A9 insofar as it states 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. The Council has referred to CS Policy BE1 in its reason for refusal, however, the policy relates to design standards and does not make explicit reference to residential amenity.

Other Matters

14. I note there would be an improvement to the existing accommodation in terms of the amount of floor space available to occupiers of the appeal property. However, such benefits would not outweigh the harm I have identified.
15. I have had regard to the concerns of local residents including the effect of the proposal on the living conditions of 47a and 45a Ongar Road in respect of privacy and light. However, given my overall findings on the main issues, they do not lead me to any different conclusion.

Conclusions

16. Whilst the proposal would not have a harmful effect on the living conditions of neighbouring residents, it would have a harmful effect on the character and appearance of the area. That is the prevailing consideration. As a result, for the reasons given above, I conclude that the appeal should be dismissed.

Jason Whitfield

INSPECTOR