



---

## Appeal Decision

Site visit made on 08 July 2019 by Darren Ellis MPlan

**Decision by Susan Ashworth BA (Hons) BPI MRTPI**

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

**Decision date: 22 July 2019**

---

**Appeal Ref: APP/H5390/D/19/3228251**

**14 Ravenscourt Gardens, London, W6 0TU**

- 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 Alastair Graham on behalf of AR&V Investments Limited against the decision of the Council of the London Borough of Hammersmith and Fulham.
  - The application Ref 2018/03993/FUL, dated 10 December 2018, was refused by notice dated 14 February 2019.
  - The development proposed is the erection of a ground floor side extension with new timber sash window, a first floor rear and side extension with a new timber sash window and slate roof.
- 

### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matter

3. I have had regard to the revised National Planning Policy Framework (NPPF) issued in February 2019 in reaching my decision. In respect of the main issue, the revised NPPF has not changed national policy. Consequently, no party has been prejudiced by the revision.

### Main Issues

4. The main issues are:
    - i. the effect of the development on the living conditions of the occupier of No.12 Ravenscourt Gardens with regard to outlook from and overbearing to a first floor bedroom window.
    - ii. the effect of the development on the character and appearance of the property and the Ravenscourt and Starch Green Conservation Area and consequently whether or not the extension would preserve or enhance the character and appearance of the conservation area.
-

## **Reasons for the Recommendation**

5. The appeal site comprises a two-storey semi-detached dwelling situated on the southern side of Ravenscourt Gardens, within the London Borough of Hammersmith and Fulham. Adjoining the rear boundary of the application site are the Stamford Brook Arches which contain a number of commercial units, with the London Underground railway lines above. The site lies within the Ravenscourt and Starch Green Conservation Area.
6. Planning permission was granted in 2018 for the demolition of the rear chimney and the erection of an L-shaped rear dormer, a single-storey rear extension and a single-storey side extension at the property. However this permission has yet to be implemented. The proposed development would see the erection of a ground floor side extension and a first floor rear and side extension.

### *Effect on living conditions*

7. Key Principle HS7 of the Planning Guidance SPD states that any proposed rear extension should not worsen the outlook from any rear habitable room window located lower than the proposed extension. The proposed first floor extension would be positioned directly in front of and in close proximity to a side-facing first floor bedroom window at the neighbouring property at No.12. While this window is a side window and Key Principle HS7 applies to rear windows, as the window at No.12 is to a habitable room and would be in close proximity to the proposed extension Key Principle HS7 is applicable in this situation.
8. The appellant and the Council agree that the window at No.12 would receive adequate daylight and sunlight, which is supported by the submitted 'Daylight and Sunlight Study', and I have no reason to conclude otherwise.
9. However, even with the proposed hipped roof which is less imposing than a gable end, given the position of the extension in relation to the window at No.12 I find that the extension would cause a significant loss of outlook and sense of enclosure and consequently would cause substantial harm to the living conditions to the occupants of the neighbour at No.12.
10. Whilst the bedroom window at No.12 currently faces towards the blank wall of the extended side elevation at No.16, there is a greater separation distance between these two properties that mitigates any significant sense of enclosure or loss of outlook from the window in question. The Stamford Brook Arches with the railway line above are a longstanding feature of the area and are not directly in front of the bedroom window at No.12, and I therefore conclude that the Arches and railway line cause no significant harm to the outlook of the bedroom window at No.12.
11. Nevertheless, for the above reasons, the proposal would be contrary to Policy HO11 of the Local Plan and Key Principles HS6 and HS7 of the Planning Guidance SPD, which seek to protect the living conditions of neighbouring properties with regards to outlook.

### *Character and Appearance*

12. This part of the southern side of Ravenscourt Gardens is characterised by semi-detached dwelling houses of a similar style and design, some of which have been previously extended with a combination of roof and rear extensions which

have limited visibility from the street and the railway tracks at the rear. The proposed extensions would be of a comparable nature to these nearby extensions and would have a similarly limited visibility from the street and would be subject to restricted private views from the neighbouring properties.

13. The ridge height of the proposed rear extension would be lower than that of the existing two-storey rear off-shot and would include a hipped roof to the rear elevation of the extension. External materials that would match those of the existing property. Even though the extension would be wider than the existing rear off-shot, for these reasons the scale and design of the extensions would ensure subservience to the existing property. Combined with the limited visibility of the extensions and the existing extensions at the nearby properties, the proposal would not be detrimental to the character and appearance of the property and would preserve the character and appearance of the Conservation Area.
14. Consequently, in this respect, the proposed extensions would comply with Policy 7.8 of the London Plan, Policies DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan, and Key Principles CAG2 and CAG3 of the Planning Guidance Supplementary Planning Document ('the SPD'), and would cause no harm to the character and appearance of the Ravenscourt and Starch Green Conservation Area in line with the National Planning Policy Framework. These policies and principles all seek in various ways to preserve and improve the character and appearance of the property and the area by requiring high quality design and the conservation of heritage assets.

*Other matters*

15. I have no information before me regarding the details of the previous planning applications at the appeal property, nor of the policy documents that were used to determine these applications. I have determined this appeal on the merits of this particular proposal.

**Conclusion and Recommendation**

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*Darren Ellis*

APPEAL PLANNING OFFICER

**Inspector's Decision**

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*S Ashworth*

INSPECTOR