
Appeal Decision

Site visit made on 30 July 2019

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2019

Appeal Ref: APP/H5390/D/19/3232518
46 St Elmo Road, London W12 9DX

- 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 Kenneth Jeyaretnam against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2019/00429/FUL, dated 11 February 2019, was refused by notice dated 10 April 2019.
 - The development proposed is erection of a rear extension at first floor level, on top of the existing back addition; installation of a door to rear elevation at second floor level and erection of glass screening around flat roof at second floor level in connection with its use as a terrace.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupants of 48 St Elmo Road with particular regard to outlook and light.

Reasons

3. The proposed development would extend the full depth of the existing upper ground floor projection and would accommodate a roof terrace atop. The flank wall of the proposed extension would be in very close proximity to the only windows serving habitable rooms in the rear elevation of No 48. Notwithstanding the orientation of the building relative to the path of the sun, the proposal would significantly diminish the amount of daylight reaching next door. Moreover, the increased height of the built form close to No 48 would create an unacceptable sense of enclosure for the neighbouring occupiers and seriously harm their outlook.
4. My attention has been drawn to other developments in the area. However, I am not fully aware of the particular circumstances of those cases and in any event, I must consider the appeal scheme on its own merits. The existence of other similar extensions in the locality does not justify the harm I have identified.
5. I conclude that the proposal would have a harmful impact on the living conditions of the occupiers of 48 St Elmo Road with regard to outlook and light.

The proposal conflicts with policies DC4 and HO11 of the adopted Hammersmith and Fulham Local Plan (2018) and the Key Principles HS6 and HS7 of the adopted supplementary planning document 'Planning Guidance' (2018) which together, amongst other things, seek to prevent development from having a demonstrably harmful impact on residential amenity.

Conclusion

6. For the reasons given above I conclude that the appeal should be dismissed.

S Tudhope

Inspector