



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/19/3232672

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 2019/00428/FUL, dated 11 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is erection of a single storey rear extension at lower ground floor level; erection of an extension to the side of the existing back addition at upper ground floor level; erection of glass screening around part of the flat roof at upper ground floor level in connection with its use as a terrace.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the host building and (ii) the living conditions of the occupants of 48 St Elmo Road with particular regard to light and outlook.

Reasons

3. The appeal site is a mid-terrace 4 storey property divided into 3 flats, situated within a predominantly residential area. The rear of the property is not visible from the surrounding streets as the gardens of the terrace back directly onto the rear boundaries of other properties. The sides of the terrace are also obscured from public view by other neighbouring properties. There are a variety of styles of projections to the rear of the terrace, however there is a general conformity in the depth of these at both lower and upper ground floor levels.
4. The appeal property has a lower ground floor rear projection spanning the full width of the building. At upper ground floor level, the building hosts a partial width projection, the depth of which aligns with similar elements on neighbouring properties. The adjoining property, No 48

has a modest mansard type roof extension atop their upper ground floor projection.

5. Despite not resulting in an increase in height of the existing projections, the proposed increased depth over the 2 storeys and the introduction of a generously sized roof terrace surrounded by approximately 1.8m high glass screening, would appear overly dominant in scale to the original building. Although not visible from the street, the proposed development would appear at odds with the character of the host building and the established form of development within the wider terrace.
6. 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, because of the extension's scale and positioning, it would significantly diminish the amount of daylight reaching next door. Moreover, such a large expanse of built form close to No 48 would create an unacceptable sense of enclosure for the neighbouring occupiers and seriously harm their outlook.
7. My attention has been drawn to other developments in the vicinity of the appeal site. However, I do not have full details of what led to those other schemes being considered acceptable and cannot therefore be certain that they are directly comparable to the proposal before me. In any case, I have considered this appeal proposal on its own merits.
8. I conclude that the proposed development would unacceptably harm the character and appearance of the host building and the living conditions of the occupiers of No 48. Thus, it would conflict with policies DC1, DC4 and HO11 of the adopted Hammersmith and Fulham Local Plan (2018), and Key Principles HS4, HS6 and HS7 of the adopted supplementary planning document 'Planning Guidance' (2018). These policies and key principles require high quality design and protection of residential amenity.

Conclusion

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

S Tudhope
Inspector