
Appeal Decision

Site visit made on 24 September 2019

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2019

Appeal Ref: APP/H5390/W/19/3233849
92A Dawes Road, London SW6 7EJ

- 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 John Cameron against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2019/00970/FUL, dated 29 March 2019, was refused by notice dated 30 May 2019.
 - The development proposed is alterations in connection with change of use from cat boarding (sui generis) to a flat (class C3).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would provide satisfactory living conditions for its future occupants, having particular regard to outlook and light.

Reasons

3. The appeal building is a two-storey, mid-terrace property with basement. The proposal relates to the ground floor and basement levels which have been in commercial use and are now vacant. The floors above are in residential use.
4. The appeal scheme proposes the bedrooms for the flat at basement level. The appellant acknowledges that the level of natural light that would reach the bedroom at the rear of the property would be poor. This room would be served by a window which faces the basement stairwell and is flanked by the side walls of its host building and neighbouring property. This arrangement would result in unsatisfactory lighting conditions for a habitable room. The main bedroom would receive the minimum recommended level of daylight via a proposed lightwell.
5. However, notwithstanding the amount of daylight that could reach the main bedroom, there would be no meaningful outlook from any of the basement rooms. Future occupants would either be looking out towards surrounding walls and a stairwell or may potentially receive glimpses of the outside world when looking skywards via the lightwell. This, together with the limited level of daylight that would be provided to the basement, would result in a harmful

sense of enclosure where future occupants would be likely to need to use artificial light much of the time when at basement level.

6. Whilst I appreciate that other basement flats exist, that reasonable outlook and adequate daylight would be afforded to the habitable rooms on the ground floor, and that the proposal would meet the nationally defined space standards, these matters do not justify allowing sub-standard living accommodation at basement level.
7. I note the frustrations expressed by the appellant in relation to the level of communication from the Council leading up to this appeal. However, this is not a matter for this appeal which I have determined on its planning merits and based on the evidence before me.
8. I conclude that the proposed development would not provide satisfactory living conditions for its future occupants having regard to outlook and light. Thus, it would conflict with Policies HO4 and HO11 of the adopted Hammersmith and Fulham Local Plan 2018 and the London Plan Housing Supplementary Planning Guidance 2016. Together these seek, amongst other matters, to ensure satisfactory living conditions for future occupiers of developments.

Conclusion

9. For the above reasons the appeal is dismissed.

S Tudhope
INSPECTOR