
Appeal Decision

Site visit made on 21 September 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2020

Appeal Ref: APP/H5390/D/20/3253299

32 Atalanta Street, London SW6 6TR

- 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 Matthew Eltringham against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2019/02154/FUL, dated 16 July 2019, was refused by notice dated 1 April 2020.
 - The development proposed is Alterations to existing terraced house including ground floor and first floor rear extensions and mansard roof addition over part of existing roof to rear.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has been altered from the application form to the decision notice. The original description adequately describes the proposals and I have determined the appeal on that basis.

Main Issues

3. The main issues are:
 - i. the effect of the proposal on the character and appearance of the area with particular regard to the first and second floor extensions; and
 - ii. the effect of the proposal on the living conditions of the neighbouring occupiers at 34 Atalanta Street (No 34) with particular regard to outlook and enclosure.

Reasons

Character and appearance

4. The character of the terrace is formed of traditional properties. Other than differing paint schemes, roofing materials and rooflight additions they have a largely uniform appearance to their front elevations which contribute towards a strong and cohesive street scene.
5. The rear of the dwellings and roofslopes within the terrace have undergone a greater degree of alteration, however what appear to be the original two-storey off shots do not generally appear to have been extended at first floor level.

Despite the wide variety of alterations which are evident, this has allowed the rear of the terrace to retain some of its original character.

6. The rear elevation of the off shot does contain a modern and unsympathetic horizontally proportioned window at first floor level and as such does not have symmetry with 30 Atalanta Street in terms of that feature. However, the rear extension proposed at first floor level would detract from the consistency and uniform character of the terrace.
7. While not evident at every property, second floor extensions to the roofslopes of the two-storey rear off shots appear to form an established part of the character of the terrace. They generally occupy approximately half of the depth of the off shot, so as not to form an overly dominant feature. That proposed is sympathetic to the prevailing proportions in that it would not extend significantly further than half of the depth of the off revised shot. However, I consider the first-floor extension that would allow these proportions unacceptable.
8. I note the presence of a large second storey extension at 38 Atalanta Street although its status as permitted development has been questioned by the appellant. Further, the rear extensions proposed to the upper floors are somewhat interlinked and I do not therefore consider its presence justifies the proposal or offers a strong fallback position within that context.
9. An increase in ridge height is also proposed to facilitate the loft conversion. This would afford the property an overly dominant appearance within the front street scene and would appear at considerable odds with the general consistency of ridge lines in respect of party wall heights of dwellings along the road. Any inconsistencies appear very minor and integrated to allow for any gentle undulation in land levels.
10. Overall, extensive alterations are proposed at first and second floor level. When considered cumulatively the overall design combines to form a proposal which would be overly dominant and which would detract from the character and appearance of the existing terrace and immediate area. Although public visibility would be reasonably limited in relation to many elements of the proposals, these elements would be widely visible from the surrounding rear gardens and from the rear of properties on Kingwood Road.
11. The proposal would therefore be contrary to Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan (2018) (HFLP) which amongst other things seek good quality design and extensions and alterations that are compatible with the scale and character of existing development which do not dominate the parent building.

Living conditions

12. The property has an existing full width single storey rear extension. This would be extended outwards to further wrap around the two storey off-shot. It would also see an increase in height where it meets the shared boundary with the neighbouring No 34 and would extend along this boundary for a considerable length.
13. No 34 has a series of ground floor windows close to the boundary with the appeal property, two of which directly face it. Whilst it appears that some of the windows may serve a kitchen, the evidence indicates that the presence of

the existing extension is already having a detrimental impact on the living conditions of the neighbouring occupier.

14. Whilst I have noted the presence of the bush on the boundary, without any substantive evidence to indicate otherwise, the increased depth and height of the single storey extension, along with the provision of the first-floor extension would only be likely to worsen the situation. Without any substantive evidence to demonstrate otherwise, I consider that the proposed extensions would be likely to create an overwhelming sense of enclosure to these windows and lead to a harmful loss of outlook from them over and above the existing situation.
15. Therefore, I consider that the proposal would result in significant harm to the living conditions of the occupiers of No 34. This would have an adverse impact on the enjoyment of their home.
16. The proposal would therefore be contrary to Policy DC4 of the HFLP which amongst other things states that extensions will have to take into account principles of good neighbourliness including the amenities of the neighbouring properties. I do not consider Policy HO11 relevant as it appears to relate to new housing only.
17. The evidence is not overly clear on whether or not the proposal is in line with guidance offered by key principles HS6 and HS7 of the SPD¹. In any event, compliance or otherwise with this guidance has not been determinative in this case and I have clearly set out the harm I have identified above.

Other Matters

18. The appellant has gone to extensive lengths to draw my attention to other extensions within the immediate area and further afield. However, there is nothing to indicate that the sites to which these developments relate share the exact same characteristics as that before me in terms of their design and their relationship to neighbouring properties. In any event I have dealt with the appeal on its own merits.
19. I accept that the appellant wishes to modernise the dwelling to accommodate their needs into the future. The proposal would also increase the size and standard of living space within the house and I do afford these matters weight. However, such matters are outweighed by the harm that I have identified.
20. The appellant raises concerns over the Council's handling of the planning application. However, these are not matters for my consideration and instead should be referred for resolution via the Council's complaints procedure, if the appellant so wishes.

Conclusion

21. For the reasons set out above, I conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR

¹ Hammersmith & Fulham Planning Guidance Supplementary Planning Document 2018.