
Appeal Decision

Site visit made on 29 October 2020

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13/01/2021

Appeal Ref: APP/H5390/W/20/3252029

58 Boscombe Road, London W12 9HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Safety Investments Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2020/00038/FUL, is dated 6 January 2020.
 - The development proposed is for the sub-division of the existing first and second floor dwelling to create an additional dwelling. Construction of a mansard roof extension to the third floor level to create a further residential dwelling. Associated amendments made to internal layout and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. My attention has been drawn to previous appeals concerning the site (references APP/H3590/W/19/3236037 & 3242205). I shall have regard to this background when considering the merits of this proposal.

Main Issues

3. The main issues are the effect of the development on:
 - the living conditions of the occupants of neighbouring dwellings with regard to light and outlook; and
 - the character and appearance of the area.

Reasons

Living conditions

4. The appeal site relates to an end property in a terrace on the junction between Boscombe Road and Findon Road. The rear of the building and others within the terrace are open to public view from Findon Road. There is a basement flat that can be accessed from the rear courtyard via a set of external steps. There are two windows that look out over the steps, and from the plans provided these appear to be the only external openings for the unit.
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5. The proposed extension at first floor level would enclose the basement accommodation from above, projecting out as far as the existing hindmost wall of the appeal property. It would create development over the basement flat where previously there was none, thereby adding material bulk to the built form in close proximity to the unit.
6. In doing so, this would create a considerable extent of overhang which would severely restrict the amount of light reaching the windows in the basement flat. It would moreover dominate their outlook in a manner which would be overbearing and oppressive, and materially worse than the existing situation.
7. Based on the foregoing I conclude that the proposal would be harmful to the living conditions of the occupiers of the basement flat in respect of light and outlook. It would thus conflict with policies DC4 and HO11 of the Hammersmith and Fulham Local Plan 2018 (LP), which seek to ensure that development protects the amenity and living conditions of occupiers of neighbouring properties. It would also conflict with the advice in the Framework which seeks to ensure safe and healthy living conditions.

Character and appearance

8. Other properties in the terrace of which the appeal site is part have mansard roof extensions and various rear additions, some of which are 3-storey and others which in-fill some of the spaces between other additions. On the other side of Boscombe Road, there is a similar terrace and many of these properties also have mansard roof extensions.
9. I note the previous Inspector's comments; amongst other things the proposed mansard roof extension would be designed acceptably, it would sit comfortably on the space adjoining the boundary wall with the neighbour and would not look out of place with the other mansard roofs in the vicinity.
10. The dormer windows would be an addition that complements the design and the roof amenity space would not be overly dominant because of the parapet wall. The ground floor open space, below the first floor extension, would be a little awkward in terms of the overall design, but it would be largely screened by the boundary to the rear area and, at ground floor, would not be a unduly prominent or harmful feature.
11. I saw at my site visit that the 3-storey addition to the rear extensions would be similar to others at the rear of the terrace. The infill section at first floor would not be at odds with the appearance of the rear elevation and would retain space above to provide articulation and relief. To my mind, the additions would complement the building and would integrate acceptably within the terrace and the wider street scene without harm.
12. I conclude that the scheme would not cause an adverse effect on the character and appearance of the area. It would meet the provisions of policies DC1 and DC4 of the LP, which require development to enhance the local environment, to prevent visual intrusion and reflect the character of the surrounding area. It would also be consistent with the Framework which states that good design is a key aspect of sustainable development.

Other Matters

13. I note that the appellant has provided a legal agreement to restrict the issue of car parking permits for the future residents of the proposed residential accommodation. Nevertheless, as I have found the scheme unacceptable for other reasons I have not needed to address this matter further.

Conclusion

14. Although there would be no material harm to the character and appearance of the area, the appeal proposal would have an adverse effect on the living conditions of the occupants of neighbouring properties. Consequently I conclude that the appeal should be dismissed.

C Hall

INSPECTOR