



Appeal Decision

Site visit made on 2 June 2021

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2021

Appeal Ref: APP/H5390/W/20/3264408

**North side of 80 Becklow Road, and land adjacent to 43 St Elmo Road,
London W12 9HJ**

- 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 George, Frederick, David and Wilfrid MacColl against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2019/00190/FUL, dated 17 December 2018, was refused by notice dated 11 June 2020.
 - The development proposed is the demolition of the existing single-storey garage to erect a two-storey one-bedroom dwelling house over a new basement.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the living conditions of occupiers of No's 78 and 80 Becklow Road with regards to outlook, and the effect of the front lightwell on the character and appearance of the host property and local area.

Reasons

Living conditions

3. The appeal site comprises a parcel of land on St. Elmo Road and to the rear of No's 78 and 80 Becklow Road which is currently occupied by a redundant garage. The gardens of the latter two properties adjoin and are set below the land level of the appeal site. The proposal seeks to demolish the garage and erect a two-storey dwelling with a roof terrace and basement.
4. The erection of a dwelling of two-storey scale would create a significant increase of built form at the appeal site visible from both No's 78 and 80. This would introduce an overbearing and visually dominant feature from the rear gardens of both properties as well as the rear windows of No.80. This would reduce outlook from these rooms at the rear and create a feeling of enclosure, rather than visual interest, which would diminish the enjoyment of these spaces. This would be compounded by the lower land levels and shallow nature of the gardens. The presence of the proposal would therefore detract from the quality of the living environment for occupiers of these properties.

5. I would agree the views may be less obtrusive from the upper floor windows of No.78. While there may be some existing views of the garage from the rear of both dwellings, this is currently single storey. I appreciate the second storey of the proposal would slope away from the properties to the rear. However, that would not lessen the impact of the increase in built form where at present this is limited to the single storey scale of the garage. Moreover, while a member of the family may currently reside at No.80, I must consider the existing and future users of this property regardless of relations.
6. I understand a planning application approved at No.78 has facilitated changes to the rear, including larger windows. However, this would not offset the reduction in outlook from the rear garden of the property and subsequent harm to the living conditions of its occupiers in this regard. My attention is also drawn to other approved planning applications in the area for similar proposals. I have insufficient information on these, and therefore cannot be sure that they represent a direct parallel to the appeal scheme particularly in regard to development plan policy. Moreover, their existence does not convince me the proposal is acceptable, which I have assessed on its own planning merits.
7. To conclude, the proposal would harm the living conditions of occupiers of No's 78 and 80 Becklow Road with regards to outlook. As such, it would be contrary to Policies DC2 and HO11 of the Hammersmith and Fulham Local Plan (the LP) (February 2018). These seek, among other aims, to ensure protection of existing residential amenities, including issues such as loss of outlook.

Character and appearance

8. The proposal includes a lightwell located within the front garden of the proposed dwelling. The terraces on both sides of St. Elmo Road feature relatively short front gardens. The Planning Guidance Supplementary Planning Document (the SPD) advises any front lightwells should be as discreet as possible, and allow the scale, character and appearance of the property, street or terrace to remain largely unchanged. It goes on to state the excavation should retain a significant amount of accessible and usable planting area at ground level while all excavations should not exceed 800mm from front to back.
9. The lightwell measures approximately 1.7m in depth. I note this is not disputed by the appellant and would significantly exceed the 800mm depth advised in the SPD. It would also cover a significant amount of the width of the front garden area and leave little space for planting and general use, although I note some climbing plants are proposed. The interpretation of the advice differs between the parties as to whether this applies to existing properties and the addition of a lightwell. To my mind, the overarching aim of the guidance in Key Principle BL3 is to avoid harm to the character and appearance of the host property, terrace or street scene.
10. Despite its size, the lightwell would be read in the context of the proposed dwelling, which would be significantly more modern in appearance than other houses in the St. Elmo Road street scene. I note the Council did not find harm with regards to the design of the property other than the lightwell, which would be set behind a boundary screen at ground floor level. Other than immediately in front of the proposed dwelling and the front garden of No.43, it would not be visible from within the street. The lightwell would therefore not appear

overbearing or obtrusive and would not harm the character and appearance of the host terrace or the street scene.

11. To conclude, despite being contrary to advice contained within the SPD in terms of its size, I find the lightwell would not harm the character and appearance of the host property, terrace or street scene in accordance with Policies DC1 and DC2 of the LP. These seek, among other aims, to ensure development respects the local design context, including the prevailing rhythm and articulation of frontages.

Other Matters

12. I have had regard to the appellant's statement of case including comments that the proposal would not have an adverse effect on the living conditions of neighbouring occupiers with regards to daylight, sunlight and privacy. This matter, however, does not outweigh the harm I have identified with regards to outlook

Conclusion

13. The proposal would harm the living conditions of occupiers of No's 78 and 80 Becklow Road with regards to outlook, although I have found no harm to the character and appearance of the host dwelling, terrace and street with regards to the front lightwell. While the proposal would provide an additional unit of housing to the Council's existing stock, and there may be some limited benefit to redeveloping the site when considering its existing appearance, this would not outweigh the harm I have identified. As such it would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR