



Appeal Decision

Site visit made on 21 October 2022

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2022

Appeal Ref: APP/H5390/W/22/3290211

1A Quarrendon Street, London SW6 3ST

- 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 Patrick Fisher against the decision of London Borough of Hammersmith and Fulham.
 - The application Ref 2021/02758/FUL, dated 23 August 2021, was refused by notice dated 30 November 2021.
 - The development proposed is Demolition of existing single storey garage and erection of a replacement two storey plus basement building to provide a one bedroom dwellinghouse; erection of a new low level boundary wall with railings on top, brick piers and a pedestrian access gate to the front elevation; and provision of an off-street car parking space in front of the new building. Revision includes the setting back for the front elevation of the building and the provision of an off-street car parking space.
-

Decision

1. The appeal is dismissed.

Main Issues

2. Whether or not the proposal would provide satisfactory living conditions for future occupiers with particular regard to outlook and light levels.

Reasons

3. The appeal site is located within the Studdridge Street Conservation Area (CA), forming the core of the CA. It consists of a large swathe of 19th Century residential estate development that covers a significant part of Fulham. Late Victorian and Edwardian architecture, size and relatively unspoilt character with a general conformity of design creates an overall cohesive character. The site lies within the Peterborough Estate where roads and building lines were laid out following the sale of the Peterborough Estate in 1888 and 1890 when the area was built over as a speculative residential development.
4. The matters in contention between the parties relates to the outlook and light levels the future occupants would experience when viewed from the basement, and from the front living room/dining room window.
5. In terms of the basement space, both a separate utility and a study would occupy part of the basement space. A window to each room would look into the lightwell, with a galvanised grill over.
6. A utility room is not a habitable space that functions in the same way as how the habitable space of a living room, for example, would be used. Despite the location of the lightwell and the fact that a vehicle would be able to park above,

as it is not a habitable space, I am not of the view that the living conditions of the occupants would be adversely compromised by light levels and outlook.

7. With regards to the study room that is identified in the basement level, I note this space was also proposed to an earlier permission.¹ No vehicle would be able to park above the grill to the lightwell for the study room of the scheme before me. Therefore, as there is largely no difference between this scheme and the previously approved scheme, I am of the view that the living conditions of future occupants would not be detrimentally compromised as a consequence.
8. The ground floor is open plan in layout with a window to either side of the front door facing onto external space. A material difference between this proposal and the previously approved scheme is the fact that incurtilage parking is included. An electric sliding gate would allow off-street parking for a vehicle to the front of the property. There is limited length to the driveway, with the designated parking space laid out in front of the window serving the living/dining space.
9. Even though the layout would be open plan, the window to serve the living/dining space with the principal outlook from within, would be directly onto a parked vehicle, through a large window. The ground floor plan demonstrates the width of a vehicle in proportion to the size of this window, to which a vehicle would encompass the majority of the width of the window, within very close range.
10. There would be no reasonable restriction to the size or height of vehicle that could be parked here that would be clearly on view from this window. This portion of room relies on the outlook from this window that would be severely compromised by the ability to park a vehicle directly in front.
11. I therefore consider that the proposal would fail to provide satisfactory living conditions for future occupiers with regard to outlook from the living/dining room area only. The proposal is, therefore, contrary to Policies HO4 and HO11 of the Hammersmith and Fulham Local Plan, February 2018. Amongst other things, these policies expect all housing development to provide a high quality residential environment.

Other Matters

12. There are no precise details of other comparison properties along Quarrendon Street brought to my attention by the appellant for me to consider. In any case, I have reached a conclusion on this proposal based on its own individual merits. Where the appellant points to matters such as the provision of garden space, and light levels received to the building, these are neutral in the overall consideration of the proposal and neither weigh for or against the scheme.

Conclusion

13. The proposal would not accord with the development plan when it is considered as a whole. For the reasons given above I conclude that the appeal should be dismissed.

¹ 2020/03452/FUL Demolition of existing single storey garage and erection of a replacement two storey plus-basement building to provide a one bedroom dwelling house; erection of a new low level boundary wall with railings on top, brick piers and a pedestrian access gate to the front elevation. Approved 26 February 2021.

Alison Scott

INSPECTOR

