



Appeal Decision

Site visit made on 27 March 2023

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2023

Appeal Ref: APP/H5390/D/23/3315593

46 St. Elmo Road, London W12 9DX

- 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 & Mrs K & A Jeyaretnam against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2022/02593/FUL, dated 11 September 2022, was refused by notice dated 7 November 2022.
 - The development proposed is described on the application form as "Lower ground floor single storey rear extension".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of the lower ground floor flat at 48 St Elmo Road, with particular regard to natural light and outlook.

Reasons

3. The appeal property is a lower ground floor flat. It forms part of a 3-storey house with a mansard addition and benefits from a relatively long rear garden. The house forms part of a long terrace of houses of similar age and appearance, many of which include rear extensions.
4. The property includes a full-width single-storey addition that extends a significant distance beyond the original main rear elevation. This, together with the upper ground floor rear element, and a similar configuration at the rear of 48 St Elmo Road, results in a significantly enclosed private amenity area at the rear of the lower ground floor flat at No. 48 and limited outlook from, and natural light to, rooms at the rear of this dwelling.
5. The proposal would enlarge the existing extension so that it would align with the rear addition at 44a St Elmo Road. I recognise that this would be a relatively modest addition and would only introduce a small additional section of wall on the boundary shared with No. 48. However, given the very poor existing situation at the rear of the lower ground floor flat at No. 48, the proposal would make an already poor situation materially worse.

6. I conclude therefore that, due to its height, siting and rearward protrusion, the proposal would reduce outlook from, and natural light to, the lower ground floor flat at No. 48 to a degree that would have an unacceptable effect on the living conditions of the occupiers of this flat. The proposal therefore fails to comply with Policies DC1, DC4 and HO11 of the Hammersmith & Fulham Local Plan (2018) and Key Principle HS7 of the Council's Planning Guidance Supplementary Planning Document (2018) which require that development should have no detrimental impact on daylight, sunlight and outlook from the windows of adjoining properties.

Conclusion

7. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR