



Appeal Decision

Site visit made on 28 May 2024

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19TH June 2024

Appeal Ref: APP/H5390/W/23/3329092

Basement and Ground, 7 Shepherd's Bush Road, London W6 7NA

- 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 Mark Saade of Caleb Hartfield Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2023/01220/FUL, dated 11 May 2023, was refused by notice dated 9 June 2023.
 - The development proposed is the conversion of the basement and ground floor level from a 2 bedroom self-contained maisonette flat into a 1 x 1 bedroom self-contained flat at ground floor level and 1 x self-contained studio flat at basement level.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In the interest of clarity I have used the description of development provided on the appeal form in the banner heading above.
3. At the time of my visit a self-contained flat had been created on the ground floor but the basement was not in residential use so the development described above had been partially carried out.

Main Issue

4. The main issue is whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to outlook and natural ventilation.

Reasons

5. The appeal site comprises the basement and ground floor of an end-of-terrace property situated close to the junction between Shepherd's Bush Road and Minford Gardens. The ground floor flat is accessed via a door in the side elevation. The basement is accessed via a lightwell at the front of the property and at the time of my site visit was vacant, unused space.
6. The proposal would include the formation of a self-contained studio flat within the basement. This would gain natural light via the glazed opening facing the lightwell at the front and indirectly from a ground floor level window facing Minford Gardens via an opening in the ceiling. The latter would not provide any outlook and outlook to the front would be towards the walls and fence

enclosing the lightwell. As a consequence of this arrangement a large proportion of the dwelling would feel oppressive. In addition, the existing and proposed apertures would not provide a dual aspect living environment with scope for a meaningful level of natural ventilation.

7. For these reasons I conclude that the proposal would not provide acceptable living conditions for future occupiers. It therefore fails to accord with Policies HO4 and HO11 of the Hammersmith and Fulham Local Plan (2018) which seek to ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard. There is also conflict with Policy D6 of the London Plan (2021) which seeks the provision of dual aspect dwellings and natural ventilation.

Conclusion

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

S Poole

INSPECTOR