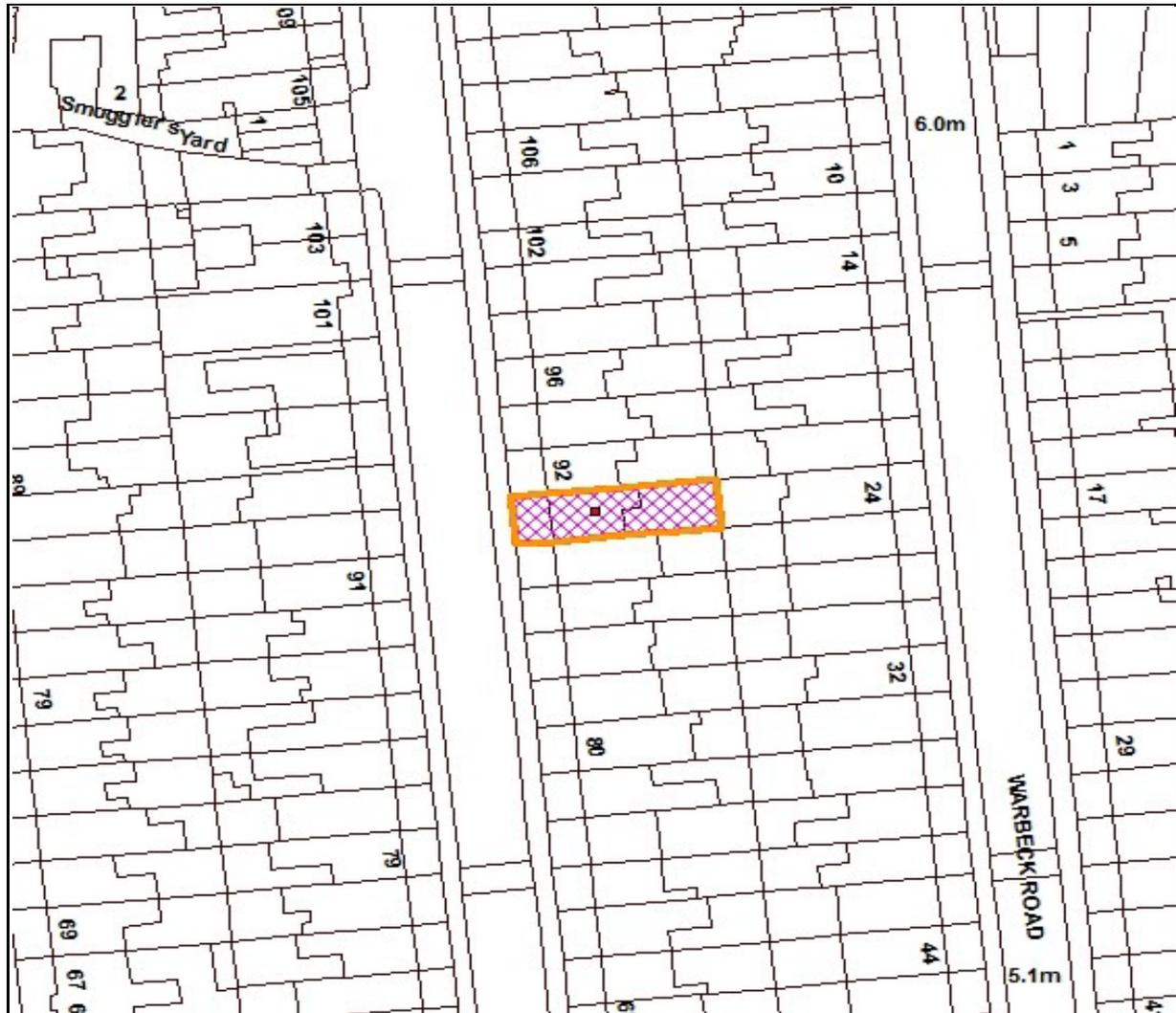


**Ward:** Coningham

**Site Address:**

Flat Ground And First Floors 90 Devonport Road London W12 8NU



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**For identification purposes only - do not scale.**

**Reg. No:**  
2023/00907/FUL

**Case Officer:**  
Aisling Merriman

**Date Valid:**  
06.04.2023

**Conservation Area:**

**Committee Date:**  
18.07.2023

**Applicant:**

Ms Stephanie Ouwendijk  
90 Devonport Road London Hammersmith And Fulham W12 8NU

**Description:**

Erection of a rear extension at second floor level, on top of the existing back addition.  
Drg Nos: 2201.02 (Rev. A); 2201.05 (Rev. A); 2201.06 (Rev. A); 2201.07 (Rev. B).

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

- 1) That the Committee resolve that the Director of Planning and Property be authorised to refuse planning permission subject to the reasons for refusal listed below;
- 2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed reasons for refusal, which may include the variation, addition or deletion of reasons, any such changes shall be within their discretion.

**Reasons For Refusal:**

- 1) The proposed development is considered unacceptable based upon design and visual amenity grounds. More particularly, the proposed addition to the rear return, by virtue of its overall size, bulk, materiality, and elevated position constitutes overdevelopment of the back addition, causing it to appear as an overly dominant and discordant feature out of keeping with the established architectural character and appearance of the application property and the wider area. In this regard the proposal is considered to be contrary to Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan (2018).
- 2) The proposed extension above the existing back addition is considered to be unacceptable in the interests of residential amenity. More particularly, due to its excessive height and position close to neighbouring windows, it is considered that the extension is unneighbourly and results in an overbearing and dominating development, with an increased sense of enclosure for the residents of the adjoining and adjacent properties. In this regard the proposal is considered to contravene Policies DC1, DC4 and HO11 of the Hammersmith and Fulham Local Plan (2018), and Key Principles HS6 and HS7 of the Hammersmith and Fulham SPD (2018).

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**LOCAL GOVERNMENT ACT 2000  
LIST OF BACKGROUND PAPERS**

**All Background Papers held by Andrew Marshall (Ext: 4841):**

Application form received: 5th April 2023  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2021  
The London Plan 2021  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

**Consultation Comments:**

**Comments from:**

**Dated:**

**Neighbour Comments:**

**Letters from:**

**Dated:**

24 Warbeck Road London W12 8NT  
24 Warbeck Road London W12 8NT

16.04.23  
22.04.23

**1.0 SITE DESCRIPTION**

- 1.1 The application property is a two-storey terraced over basement dwelling house with a mansard rear loft extension on the eastern side of Devonport Road. The property includes a three-storey rear return. The property is occupied as a maisonette on the upper floors with a separate basement flat.
- 1.2 The site is not located within a Conservation Area. The site is located within the Environment Agency's Flood Zone 2 and is at risk of surface water flooding.

**2.0 SITE HISTORY**

2.1 The following history pertains to the site:

- 2003/01446/FUL: Erection of a rear extension at first floor level, on top of the existing back addition. Approved.

- 2004/02345/FUL: Erection of a rear extension at first floor level, on top of the existing back addition; installation of a window to the rear elevation at first floor level. Approved.

- 2010/04038/FUL: Erection of a rear roof extension. Approved.

- 2022/02961/FUL: Erection of a rear extension at second floor level, on top of the existing back addition. Refused. Two refusal reasons include the impact of the proposed development on visual and residential amenity grounds. More particularly, the proposed third storey addition to the rear return, by virtue of its overall size, bulk, materiality, and elevated position constitutes overdevelopment of the back addition, causing it to appear as an overly dominant and discordant feature out of keeping with the established architectural character and appearance of the application property and the wider area; and it is considered that the application documents have not sufficiently demonstrated that the proposed development would not seriously impact existing neighbouring residential amenities by way of a negative impact on outlook and loss of light from neighbouring windows.

### 3.0 PROPOSED DEVELOPMENT

3.1 The current application is similar to the previously refused scheme, for a fourth storey addition to the existing three storey rear return. The proposed addition would be built of brick to match the existing and would feature a pitched slate roof and a small window to the southern flank elevation and a rooflight on the sloping roof.

### 4.0 CONSULTATION AND NOTIFICATION

4.1 The scheme was publicised by means of letters sent to adjacent occupiers.

4.2 Two responses were received. Concerns were raised relating to the impact of the proposed development on neighbouring privacy. These concerns will be considered below.

### 5.0 POLICY FRAMEWORK

5.1 The statutory development plan comprises of the Local Plan (2018) and the Planning Guidance Supplementary Planning Document (2018) (hereafter referred to as Planning Guidance SPD). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

5.2 National Planning Policy Framework (NPPF).  
The NPPF came into effect on 27 March 2012 and was subsequently revised in 2019 and more recently in 2021 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.

5.3. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

5.4 The London Plan

The London Plan was published in March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years.

## 5.5 The Local Plan

The Council adopted the new Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

## 6.0 PLANNING CONSIDERATIONS

6.1. The main planning considerations in the assessment of this application include the following: -

- Design and impact upon the character and appearance of the application property and the surrounding area.
- Impact on neighbouring residential amenity, particularly with regards to impact on outlook and access to light from neighbouring windows.

6.2 The following policies are considered to be relevant to this application:

- Hammersmith and Fulham Local Plan (2018): Policies DC1, DC4, DC6 and HO11.
- Planning Guidance Supplementary Planning Document (2018); Key Principles HS6 and HS7.

## DESIGN AND VISUAL IMPACT

6.3 The council requires a high standard of design in all alterations and extensions to existing buildings. The proposed development seeks to erect a fourth-storey addition to the existing three-storey rear return matching the footprint of the existing rear addition. The proposed addition is approx. 3.3 m high at the ridge level falling to approx. 1.6 m at the rear elevation, incorporating a 45-degree pitched slate roof. The proposed addition would be constructed of brick to match the materiality of the existing rear return. New openings are proposed, including a small new white-painted uPVC-framed window at third floor level on the southern flank elevation of the proposed addition and a timber rooflight on the proposed rear roof slope.

- 6.4 The proposed details of fenestration are considered to respect the architectural character of the building and its surroundings. However, the proposed development is not considered to be compatible with the scale and character of existing development, surrounding properties and their setting. Officers consider that the height, scale and massing of the proposed addition, despite the incorporation of a pitched roof and the use of brick, would be incongruous in the surrounding context. Surrounding rear additions at this level are generally in the form of parapet walls to screen external terraces. Overall, the scale of roof extensions within this area generally comprise dormer windows; with limited alterations projecting beyond the original eaves of properties. The massing of the proposed development would introduce a prominent addition beyond the original eaves and would add additional bulk to the scale of the existing, large rear dormer window. As such, the development would appear overbearing and over-dominating within this setting. The proposed would be out of keeping with the established character of Devonport Road.
- 6.5 Officers consider that the proposal is unacceptable and does not comply with Local Plan Policies DC1 and DC4.

#### NEIGHBOURING RESIDENTIAL AMENITIES

- 6.6 The proposed development is for a third-storey addition to match the footprint of the existing rear addition. The application site is located on the western side of Devonport Road with No. 92 to the north and No. 88 to the south. The building currently features a three-storey rear return located on the northern part of the site. The application site backs onto No. 24 Warbeck Road, which has a rear garden measuring approx. 5.5 m.
- 6.7 The proposed addition is approx. 3.3 m high at the ridge level falling to approx. 1.55 m at the rear elevation, incorporating a pitched roof of approx. 45 degrees. Officers note the existing rear window at first floor level of neighbouring No. 92, which is the sole window to a bedroom. Officers consider that there is potential for negative impacts to neighbouring residential amenities resulting from the proposed development, including impacts on outlook from adjoining properties and negative impacts on the openness between properties.
- 6.8 Officers note that the applicant has submitted a Sunlight and Daylight Report, prepared by Lichfields in relation to the proposed development, which assesses the impact of the proposed addition on the daylight and sunlight received in the neighbouring rooms. The neighbouring first floor window has been assessed with regard to Vertical Sky Component (VSC) and the Daylight Distribution (DD) methods, and shows that the proposed development would not significantly impact levels of light received to the first floor room. It is not considered that proposed development would not impact negatively on the privacy enjoyed by neighbouring properties. Officers consider that the proposed development does not satisfactorily comply with Policy HO11
- 6.9 Nonetheless, Officers note that the proposed development would impact negatively on the rear bedroom window at No. 92 by way of an increased sense of enclosure and reducing outlook, and would have negative impacts on the openness between properties.

- 6.10 It is considered that the proposed development does not comply with Key Principle HS6 (i). The proposed addition to the existing rear return would result in an infringing angle of more than 45 degrees as measured from the rear boundary at ground floor level. The proposed development is for a fourth-storey addition to match the footprint of the existing three-storey rear addition. The proposed addition is approx. 3.3 m high at the ridge level falling to 1.6 m at the rear elevation, incorporating a pitched roof of approx. 45 degrees. The rear garden of No. 24 Warbeck Road, which abuts the application property, is approx. 5.5 m in length. Officers consider that there is potential for serious negative impacts to neighbouring residential amenities resulting from the proposed development, including impacts on outlook from adjoining properties and negative impacts on the openness between properties. Officers consider that the proposed development does not satisfactorily comply with Key Principle HS6.
- 6.11 The proposed development does not comply with Key Principle HS7 (i). Officers note an existing window on neighbouring No. 92's rear elevation at first floor level which could be seriously impacted by the proposed development in terms of outlook and sense of enclosure between buildings.
- 6.12 The proposed development does not comply with Key Principle HS7 (iii), in terms of new windows being positioned at least 18 metres from existing habitable room windows. Officers have noted this, and this has been raised as a concern by local occupiers. However, it is considered that if the application were acceptable on all other grounds, this element of the scheme could be resolved by conditions relating to the installation of obscure glazing, to new windows to ensure that the proposed windows should be obscurely glazed and unopenable to a level of at least 1.7 m above finished floor level in order to protect the privacy of the existing property to the side and rear.

## 7.0 RECOMMENDATION

- 7.1 The proposed development is considered unacceptable on visual amenity grounds and its impact on neighbouring residential amenities. More particularly, the proposed addition to the rear return, by virtue of its siting, height, bulk and mass and materiality would be a visually prominent, incongruous development that is unacceptable, and out of character with the established form of Devonport Road. If approved, the development could also set an inappropriate precedent for further inappropriate developments in this residential area. It is considered that the application documents have not sufficiently demonstrated that the proposed development would not seriously impact existing neighbouring residential amenities by way of an increased sense of enclosure and a negative impact on outlook from neighbouring windows. In this regard the proposal is considered to contravene Policies DC1, DC4 and HO11 of the Hammersmith and Fulham Local Plan (2018), and Key Principles HS6 and HS7 of the Hammersmith and Fulham SPD (2018).
- 7.2 Officers recommend that the proposed development is refused planning permission in line with the recommendations above.