

Ward: Coningham

Site Address:

14 Ellingham Road London W12 9PR



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Reg. No:
2024/01862/FUL

Case Officer:
Zhirong Li

Date Valid:
31.07.2024

Conservation Area:

Committee Date:
03.12.2024

Applicant:

Charles Keiden & Rebecca Steinfeld
14 Ellingham Road London Hammersmith And Fulham W12 9PR

Description:

Erection of a rear roof extension, involving an increase in the ridge height to match adjoining property at no.12; erection of a rear extension at second floor level, on top of the existing back addition; erection of a single storey rear extension, to the side of existing back addition; and installation of 3no. rooflights in the front roofslope.

Drg Nos: See condition 2

Application Type:

Full Detailed Planning Application

Officer Recommendation:

(1) That the Committee resolve that the Director of Planning and Property be authorised to grant planning permission subject to the conditions listed below.

(2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director of Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

Condition required to be imposed by section 91(1)(a) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

- P/22 Rev C, P/23 Rev E, P/24 Rev C, P/26 Rev G, P/28 Rev D, P/29 Rev D, 31 Rev B, P/35, P/36, P/37.

- Flood Risk Assessment (24/07/24).

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans.

3) The development hereby approved shall be carried out and completed in accordance with the materials details (including colour and finish) specified below:

- Party walls: Yellow London stock brick to match the existing building in terms of brick and mortar colour and bond pattern.
- Second-floor rear extension: Natural or artificial grey slates tiles to match the colour, shape and size of the existing roof.
- Ground-floor side extension: Zinc cladding and yellow London stock brick.
- Dormers face/cheeks: Clad in lead.
- Windows: Timber frames sliding sash window, painted in white.

The development shall be permanently retained in accordance with the approved details. Any works of making good to existing elevations shall be carried out in materials to match the elevation to which the works relate.

To ensure a satisfactory external appearance, in accordance with Policies DC1 and DC4 of the Local Plan (2018).

4) The raised party walls for the rear roof extension the and the second floor rear extension shall be constructed of London stock brick to match the existing dwelling in terms of brick colour, bond pattern and mortar colour; shall follow the shape of the roof structure; and shall not project more than 250mm above the external face of the roof structure. The party walls shall be permanently retained in this form thereafter.

To ensure a satisfactory external appearance, in accordance with Policies DC1 and DC4 of the Local Plan (2018).

5) The roof of the rear roof extension, second floor rear extension and the ground floor extension shall not be converted into or used as a terrace or other open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roof of the extension and the remainder of the roof of the back addition. No railings or other means of enclosure shall be erected around the roofs and no alterations shall be carried out to the property, including the extension hereby approved, to form an access onto the roofs.

Such a use would be detrimental to the amenities of neighbouring properties by reason of overlooking and loss of privacy and potential noise and disturbance, contrary to Policies CC11 and HO11 of the Local Plan (2018).

6) No water tanks, water tank enclosures or other structures shall be erected upon the roof of the extension hereby permitted or the remainder of the roof of the existing back addition.

It is considered that such structures would seriously detract from the appearance of the building, contrary to Policies DC1 and DC4 of the Local Plan (2018).

- 7) The development shall be carried out and completed in full accordance with the details contained within the approved Flood Risk Assessment (dated (24/07/24)). No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form and maintained as necessary thereafter.

To limit the impact on flood risk and mitigate the susceptibility of the development to flooding in accordance with Policies CC2, CC3 and CC4 of the Local Plan (2018).

Justification for Approving the Application:

- 1) The proposed alterations are considered to be of an acceptable appearance, in keeping with the character and visual appearance of both the application property and the terrace. The proposed development would have an acceptable impact on neighbouring residential amenity and flood risk. In these respects, the proposal would be in accordance with Policies CC3, CC4, DC1, DC4, DC11 and HO11 of the Local Plan (2018) and no objections would be raised in terms of Key Principles FR1, HS4, HS6 and HS7 of the Planning Guidance Supplementary Planning Document (2018).

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

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

Application form received: 24th July 2024
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2023
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:

10 Ellingham Road London W12 9PR	26.08.24
12 Ellingham Road London W12 9pr	28.08.24
12 Ellingham Road London W129PR	26.08.24
16 Ellingham Road Shepherds Bush London W12 9PR	30.08.24
22 Ellingham Road London W12 9PR	01.08.24
12 Ellingham Road London W12 9PR	25.08.24
18 Ellingham Road London w12 9pr	25.09.24

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a two storey mid-terrace property located on the western side of the Ellingham Road.
- 1.2 The site does not lie within a conservation area.
- 1.3 The site lies within Environmental Agency Flood Risk Zones 2 and 3.

2.0 SITE HISTORY

- 2.1 1972/01794/FUL - Conversion into two self-contained flats and the erection of a two storey extension at the rear. Refused 26.03.1973.
- 2.2 2023/01529/FUL - Erection of a rear roof extension, involving an increase in the ridge height to match adjoining property no.12; erection of a rear extension at second floor level, over part of the existing back addition; erection of a single storey rear extension, to the side of existing back addition; installation of 3no. rooflights in the front roofslope; erection of 1.7m high obscure glazed screening over the remaining part of existing first floor back addition, in connection with its use as a roof terrace. Approved 09.11.2023. Not yet implemented.

3.0 PROPOSAL

- 3.1 The current application seeks planning consent for the erection of a rear roof extension, involving an increase in the ridge height to match adjoining property at no.12; erection of a rear extension at second floor level, on top of the existing back addition; erection of a single storey rear extension, to the side of existing back addition; and installation of 3no. rooflights in the front roofslope.
- 3.2 This is a revision of the extant permission (2023/01529/FUL), and the main change seeks to provide an enlarged extension on top of the back addition replacing the previously approved extension and roof terrace.

4.0 CONSULTATION

4.1 As part of the public consultation process, 22 neighbouring properties were consulted by letter. 9 representations have been received, this included 8 letters of objection (from 4 properties) and 1 letter of support. These comments are summarised below:-

Objection

- Loss of light, increase in sense of enclosure
- The impact would be detrimental to the career of the neighbouring residents.
- Reduce the light into the neighbouring rear gardens.
- Loss of outlook.
- It is an unneighbourly development.
- None of the neighbours were consulted prior to the submission.
- Ongoing disruption to the road
- Additional strain to an overloaded drainage system.
- Set a precedence for the others in the road.
- Overdevelopment

Support

- High quality design that benefits the character of the area
- Reasonable spatial extension for a family with children.

Officer comments:

- Where the above matters constitute a material planning consideration, they are addressed in the relevant section of the officer report. This including the visual impact upon the application site and the surrounding area as well as impact to the neighbouring amenities. The impact of the proposal upon flood risk has also been considered, the flood risk assessment has been reviewed by the relevant consultee and no objection has been raised subject to the implementation of the measures within the FRA.
- In regard to public consultation, officers are satisfied that the application was publicised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 legislation.

5.0 POLICY CONTEXT

5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory legislation for Town Planning in England.

5.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (Section 38 (6) of the 2004 Act as amended by the Localism Act).

5.3 In this instance, the statutory development plan comprises the London Plan (2021), the Local Plan (2018) and the 'Planning Guidance' (2018) and the 'Climate Change' (2023) Supplementary Planning Documents (hereafter referred to as 'Planning Guidance' and Climate Change' SPDs). Other strategic and local supplementary planning guidance and other documents from the Council and the Greater London Authority/Mayor of London are also material to the determination of the application.

National Planning Policy Framework (2023)

5.4 The National Planning Policy Framework - NPPF (as updated 2023) 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.

5.5 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.

The London Plan (2021)

5.6 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. The Plan provides the strategic planning policies for London, setting out an integrated economic, environmental, transport and social framework for growth over the next 20-25 years. The proposed development has been assessed in line with the policies set out in the London Plan. The London Plan is supported by guidance, which provides further information about how the London Plan Policies should be implemented in the form of Supplementary Planning Guidance ('SPG') documents which have also been considered in determining this application.

The Local Plan (2018)

5.7 The Council Local Plan was adopted 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' (February 2018) and 'Climate Change' (October 2023) Supplementary Planning Documents (SPDs) are also material considerations. These provide supplementary detail to the policies and are 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

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 Policies DC1 and DC4 of the Local Plan (2018) require a high standard of design in all alterations, and that extensions to existing buildings be compatible with the scale and character of existing and neighbouring development and their setting, integrated into the architectural design of the existing building, and subservient in terms of its bulk, scale, materials, and design.

+ Increase in ridge height and rear roof extension

6.4 The proposed rear roof extension would involve an increase of the ridge height to match the ridge height of adjacent property No.12 Ellingham Road; this would be achieved by 'shooting back' the existing ridgeline. The pitch of the front roofslope would be maintained and would not appear out of keeping within the group. It is therefore considered to be acceptable.

6.5 To the rear, the proposed rear roof extension would be angled at 90-degrees to the rear, whilst it is not the traditional 70-degrees mansards, given a large number of the rear roof extensions at the application terrace are all angled at 90-degrees, the proposed design is considered acceptable in this instance which would ensure the uniformity to the rear of the terrace. The proposed extension would be finished with hung tiles to match the main roof. The proposed roof extension would have a small window above the proposed second floor extension and a large three pane window, it is noted that a number of existing rear extensions along the application terrace also have large windows, such as Nos, 14, 16, 26 and 28 Ellingham Road. There is no objection to the proposed large window.

+ Second floor extension ('pod' extension)

6.6 The proposed second floor extension would occupy the entire depth of the back addition, with 70-degrees pitched roof on both the side and rear elevations. The extension would be finished with hung tiles to match the rear roof extension and the main roof and there would be a timber sliding sash window to the rear elevation. Whilst the Council would normally resist full depth extensions on top of back additions, in this context, Officers acknowledge the recent Planning Inspectorate appeal decision at No.20 Ellingham Road (Appeal ref. APP/H5390/W/22/3311179) and the subsequent approval of a similarly scaled extension at No.22 Ellingham Road (Ref. 2023/01624/FUL). In the appeal decision, the Inspector considered that the proposed second floor extension would cover the entirety of the rear outrigger and increase its height and bulk. However, they concluded that the apparent scale would be reduced, due to its sloping sides, and natural slate cladding would differentiate it, visually, from the two storeys below. The lower floor level of the rear outrigger would result in the roof of the mansard being only a little higher than the eaves of the main part of the house. Consequently, it would not be out of proportion, or over dominant.

- 6.7 The application site has a similar character as Nos.20 and 22 Ellingham Road, with their original outrigger lower than the main part of the house. Whilst the proposed second floor extension above the outrigger would project above the eaves slightly more than the approved extensions at Nos.20 and 22, it would still be sufficiently set down from the ridge, and much of the bulk above the eaves would be limited in scale due to the pitched roof design. The proposed extension therefore would not appear overbearing to the host building.
- 6.8 In any case, the proposed extension would not appear out of place in the context of similar development in the area, nor would it stand out negatively in a conspicuous manner. This is especially given the approved extensions at Nos.20 and 22 Ellingham Road, and a large second floor extension at No.32 Ellingham Road that is highly visible from Batson Street. The proposed extension would have limited views from within the public realm due to the mid-terrace location. It is therefore considered that the proposed second floor extension would not result in harm on the aesthetic quality of the host building and the surrounding area.

+ Side infill extension

- 6.9 The proposed side extension would infill the side of the original outrigger only. The extension would have two roof designs. On the boundary shared the existing side infill extension with No.16 Ellingham Road, the proposed extension would have a height that matches the extension at No.16 and rise up to approx.3.1m high. This section of the extension would be finished with zinc cladding with a flat rooflight. Beyond the extension at No.16, the proposed extension would have a 2m height on the boundary measuring from the ground level of No.16 (approx.1.5m height from the application site) and rise up in 45-degrees in accordance with Key Principle HS7(ii) of Planning Guidance SPD (2018). This section of the extension would be finished with London stock bricks to match the main building on the rear elevation and the roof would be finished with zinc cladding. There would be 2no. rooflights and a glazed door to the rear.
- 6.10 In general, this aspect of the proposal is considered to be in accordance with the pattern of development in the street. It would maintain an acceptable form and bulk at the rear ground floor and no objections are raised to this element of the development.

+ Rooflights

- 6.11 The proposal seeks to install rooflights to the front roof slope and to the rear flat roof of the rear roof extension and the second-floor extension. These are minor and largely innocuous additions which would be of modest scale in appearance and would avoid giving rise to visual clutter on the roof due to their neat and in-scale appearance. This element of the proposal is considered to be acceptable.
- 6.12 Overall, the proposed development is considered to be of an acceptable size, scale, form, and design and it would be subservient to the host property and in keeping with the established development patterns within the immediate vicinity. As such, the scheme would not cause any architectural harm the host property and the wider area. In view of this, the proposal is considered to be in accordance with Policies DC1 and DC4 of the Local Plan (2018).

RESIDENTIAL AMENITY

- 6.13 Policies HO11 and DC4 of the Local Plan (2018) state that extensions and alterations to existing dwellings will be considered acceptable where it can be demonstrated that there is no detrimental impact upon the amenities enjoyed by neighbouring properties to include privacy, daylight and sunlight, and outlook. This approach is reflected in Key Principles HS4, HS6 and HS7 of the Planning Guidance SPD (2018) where provide further guidance on extensions against sense of enclosure, loss of outlook, loss of privacy, loss of daylight and disturbances against neighbouring occupiers.
- 6.14 Key Principle HS4 noted that due to the borough already has a high density of development, with little space between buildings, it is important to limit the size of rear extensions to ensure that they do not result in an unacceptable loss of existing amenity space or adversely affect the existing sense of openness between buildings. The proposed single storey would not project beyond the rear of the original outrigger, it would be more than 4m away from the rear boundary of the application property and more importantly, and it would cover no more than 50% of the open area at the rear property as originally built. On this basis, the proposal would comply with Key Principle HS4 to ensure a neighbourly development.
- 6.15 In consideration of Key Principle HS6, it states that building's proximity can have an overbearing and dominating effect detrimental to the enjoyment of adjoining residential occupiers. To test this, the Council uses a reference line produced at an angle of 45 degrees from a point at ground level on the boundary of the site, or a point of 2m above ground level where rear gardens exceed 9m. If the above does not apply, then on-site judgement will be a determining factor. No.106 Percy Road adjoins the application site to the rear, and it has a rear garden approx. 18m in depth. As shown on the proposed plans, the proposed rear extensions would infringe an angle of 45-degrees line when measuring from the ground level of the rear boundary line, however given the large separation distance between No.106 and the application site, it is therefore considered that there would not be any significant overbearing, enclosure and loss of outlook impacts on No.106 Percy Road.
- 6.16 The proposed rear roof extension would be contained within the rear roofslope and not extend past the eaves line, the rear elevation of the extension would be largely aligned with the existing rear roof extensions at Nos.12 and 16 Ellingham Road, this would mitigate against any harm to the light and outlook to both neighbouring properties.
- 6.17 No.12 Ellingham Road adjoins the application site to the north has an existing 'pod' extension over part of the original outrigger, this extension serves an office, and it has a window to the rear elevation and a window the side flank elevation which is also clear glazed. The proposed 'pod' extension would have a similar height as the existing extension at No.12 and extend the full depth of the along the party wall. When measuring from BRE's 45-degrees line, the proposed extension would infringe 45-degrees line taken from the mid-point of the rear elevation window which would have some impact to the levels of light received by this window. However, this is not the only window to this room, with secondary glazing

to the side elevation, as well as the nearest property to the rear is over 18m away, which means the rear elevation window at No.12 would still benefit from an otherwise open outlook.

- 6.18 No.16 Ellingham Road adjoins the application site to the south. The nearest windows that could be affected by the proposed development are the windows to the main rear elevation and the windows to the side flank elevation of the outrigger. Key Principle HS7(i) states that extensions to either the roof of the back addition or to the rear of the back addition should enable an unobstructed angle of 45 degrees to be achieved to any window to a habitable room on the ground floor of the back addition if that forms the sole window to that room. No.16 has an existing side infill extension, which removed most of the windows to the main rear elevation and side flank elevation on the ground floor that could be affected by the proposed extension. There is, however, a door to the side of the flank elevation on the ground floor to the rearmost of the outrigger, however, it is understood that there is also a door to the rear of the outrigger that serves the same room that provides additional light and outlook to this room.
- 6.19 Key Principle HS7(i) also states that where there is an existing rear addition, the angle of unobstructed visibility for this purpose should not be reduced by more than 15%. Where no rear addition currently exists at the level of the extension then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of the neighbouring properties. The proposed second floor extension would be located at a level where there is currently no existing extension, on-site judgment will be the determining factor in assessing the impact to the windows to the main rear elevation. It is noted that due to the application terrace is on a hill, the application site is at a slightly higher position than No.16. On the main rear elevation of No.16, there is a smaller secondary window on the upper-ground level above the existing single storey side infill extension for the sitting room, this room is also served by windows to the front of the property.
- 6.20 At first-floor level, there is a window to a habitable room (bedroom), whilst this window is lower than the first-floor window of the application site by approx.2 brick courses, on shown on the proposed plans, the proposed second floor extension atop of the outrigger still allows an unobstructed angle of 45 degrees to be achieved when measuring from the mid-point of this window. This would mitigate any significant loss of light or overbearing impact upon this window. To the side flank elevation of the outrigger at No.16, there is a window that serves a study/office, this same room is also served by a window to the rear of the outrigger on the first-floor level, as such light and outlook are also available to the west, and this would be unaffected by the proposal. In any case, the proposed plans have demonstrated that the proposed extension would not breach an angle of 45-degrees to the side elevation window. On this basis, it is considered that the proposal would not unacceptably impact upon this neighbour in terms of loss of light or overbearing impact.
- 6.21 Key Principle HS7(ii) relates to any extension at the side of the back addition. It states that the extension should not extend above a height of 2m on the boundary with the adjoining property as measured from the ground level of the adjoining property. The roof of the extension should have a maximum angle of slope not exceeding 45 degrees. The proposed ground floor extension would infill the side of

the outrigger only which would extend along the boundary shared with No.16 Ellingham Road. At the section of the existing side infill extension of No.16, the proposed extension would have a height that match the maximum height of the existing extension at No.16 on the boundary and rise up to approx.3.1m high. Whilst this section of the proposed extension does not comply with Key Principle HS7(ii), given No.16 does not feature any windows to the side flank elevation at this section of the extension, and given the modest height of the proposed extension, it is not considered that there would be undue enclosure or obtrusiveness. Beyond the existing side infill extension of No.16, the proposed extension would have 2m height on the boundary measuring from the ground level of No.16 (approx.1.5m height from the application site) and rise up in 45-degrees in accordance with Key Principle HS7(ii). This would mitigate any significant harm to No.16 with regards to light and outlook.

6.22 Key Principle HS7 (iii) further requires that any new habitable windows are 18m from existing habitable windows. This is measured by an arc of 60 degrees taken from the centre of the proposed new window. As noted above, No.106 Percy Road is over 18m away from the rear of the rear elevation of the application, which would mitigate any potential overlooking and loss of privacy to No.106. There are no windows proposed to the side flank elevation of the extension which would limit any overlooking to Nos.14 and 16 Ellingham Road.

6.23 Overall, it is judged that the scheme would have limited impacts on neighbouring amenity given the context and surrounding built form. It is considered that the proposal would be in line with Policies HO11 and DC4 of the Local Plan (2018) and Key Principles HS4, HS6 and HS7 of the Planning Guidance SPD (2018) aimed promoting good neighbourliness and preserve the amenity and living conditions of neighbouring occupiers.

FLOOD RISK

6.24 The application site lies within the Environment Agency's Flood Risk Zone 3, and a flood risk assessment (FRA) has been submitted as part of the application. The FRA confirmed that the finished floor levels of the extension will match the existing and flood-proofing measures will be included. On this basis no objections are raised subject to the implementation of the measures as outlined in the FRA. On this basis, the proposal is considered to be in accordance with Policy CC3 of the Local Plan (2018).

7.0 RECOMMENDATIONS

7.1 The proposed development is considered to be acceptable on visual amenity grounds as well as its impact on neighbouring residential amenities. In this regard the proposal is considered to comply with 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 Grant planning permission in line with the recommendations above.