
Appeal Decisions

Site visit made on 13 September 2016

by Gareth W Thomas BSc(Hons), MSc(Dist), PgDip, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 September 2016

Appeal A Ref: APP/F5540/W/16/3152966

22 Oxford Gardens, Chiswick, London W4 3BW

- 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 Richard Lupson against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00846/22/P4, dated 18 February 2016, was refused by notice dated 14 April 2016.
 - The development proposed is for an addition of rear extension at second floor level including over rear extension.
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Appeal B Ref: APP/F5540/W/16/3154423

22 Oxford Gardens, Chiswick, London W4 3BW

- 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 Richard Lupson against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00846/22/P5, dated 18 February 2016, was refused by notice dated 17 May 2016.
 - The development proposed is for an addition of roof extension at the rear.
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Procedural Matters

1. As set out above there are two appeals on this site. They differ only in relation to the detail of the design of the proposed extensions. I have considered each proposal on its individual merits. However to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
2. I was unable to gain access into the site when the site visit was undertaken. However and importantly, I was able to view the roof and upper floor from a garage courtyard located just to the west and to the rear of the property. Coupled with the aid of submitted plans and photographs I am satisfied that I was able to see all that I needed from this slightly obscured vantage position and that there would be no injustice to either party.

Decisions

Appeal A:

3. The appeal is dismissed.
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Appeal B:

4. The appeal is allowed and planning permission is granted for an addition of roof extension at the rear at 22 Oxford Gardens, Chiswick, London W4 3BW in accordance with the terms of the application, Ref 00846/22/P5, dated 18 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1271 Location Plan; 1271.20 Floor Plan; 1271.20 Floor Plan Existing; 1271.21 Elevations and Sections Existing; 1271.24 Floor Plans Proposed, and; 1271.25 Elevations and Sections Proposed.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

5. For both appeals, the main issue is whether the proposed extension in each case would have an unacceptable effect on the character and appearance of the area.

Background

6. The host property comprises a two storey mid terrace dwellinghouse that has been subdivided into two flats, one at ground floor the other at first floor. It is located within a suburban setting of similar Edwardian properties. Beyond the rear boundary lie other residential terraced properties and the designated Wellesley Road Conservation Area (CA). The CA is characterised by rather grand predominantly Victorian dwellings with its significance derived from a planned and estate appearance with many of the houses incorporating fine detailing of a classical style with stucco dressings. Oxford Gardens and the adjoining more modern flats are excluded from an otherwise continuous CA to the north of the railway line.
7. It was notable that whilst there is a degree of homogeneity in the design of Oxford Gardens and the retention of many original features particularly at the front of the terraces either side, the same cannot be said for the rear of the properties. Here, several properties have seen significant changes especially to their roof form with dormers and extensions now having interrupted the main roof plane of this terrace. However, that is not the case with the outriggers that remain relatively intact and contribute to the fine design rhythm at the rear.
8. LBC Hounslow Local Plan Policies CC1, CC2 and SC7 in combination seek to promote high quality design to new developments that enhances the overall environmental and townscape character of the Borough. In addition, Policy SC7 specifically requires extensions to harmonize with adjoining properties, helping in turn to maintain the character of the area. These policies are supported by the Council's adopted Supplementary Planning Guidance: Residential Extension Guidelines (SPG). The SPG provides guidance on the design, size and location of dormers so that they do not dominate the original

roof plane. The SPG warns against the use of mansard designs where these would affect the prevailing character of an area.

Reasons

Appeal A:

9. This proposal would see the erection of a mansard style roof extension built out from the main rear roof slope extending some two-thirds across the outrigger. A projecting sash window would be incorporated into the rear facing elevation of the extension; four roof lights would be installed within the main roof slope facing the street. The proposed mansard would project some 3.9m along the roof slope of the outrigger and along with the loft conversion would provide an additional two bedrooms and an en-suite shower room.
10. In acknowledging that the Council would generally oppose the introduction of mansards, I am cognizant that mansard style dormer designs appear to be a feature of some extensions in the immediate area. However these generally do not protrude further than the rear facing wall of the main roof slope. In this case the mansard would protrude into the outrigger and have a higher roof than the outrigger. This would result in an unfortunate juxtaposition of designs that would appear discordant and incongruous. The proposal would be over dominant in terms of the character of the original house. I therefore find that the proposal would be contrary to the Council's policies and SPG as described above.
11. In considering this issue I am also mindful of the statutory duty which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas¹ and national policy which advises that great weight should be given to this objective². It is therefore necessary to consider the effect of the proposal on the setting of the CA.
12. Whilst the appeal site's rear gardens back on to the rear gardens of Oxford Road properties, which lie within the CA, only glimpsed views of the proposed extension would be viewed through relatively dense vegetation and trees that are located within the rear gardens both sides of the CA boundary. Nevertheless from albeit predominantly private views, the roofscape of this terrace of properties is the most important feature of this group when viewed from within the CA and which reflect albeit to a limited degree the significance of the CA that I have identified. In my view the introduction of a mansard as depicted in the submitted drawings as a result of its discordance and incongruity would be likely to be harmful albeit minor to the setting and thereby the significance of the CA.
13. I conclude that the proposal would have a minor adverse impact on the character and appearance of the Wellesley Road Conservation Area due to the harmful effect on its setting and its significance. This would be contrary to the objectives of national policy which seeks to ensure that the character and appearance of heritage assets are preserved or enhanced³.
14. I have found that the proposal would cause some harm to the setting of the CA. However, whilst I attach considerable importance to this harm, the

¹ Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

² The National Planning Policy Framework (Framework) paragraph 132

³ Framework paragraph 17, 10th bullet point and section 12.

adverse impact would be no more than minor. No public benefits have been identified by the appellant and none are evident to me. Therefore there are no public benefits that would outweigh the minor harm so identified.

15. For the above reasons and having regard to all other matters raised, **Appeal A is dismissed.**

Appeal B:

16. In the case of Appeal B, the proposed development would see the construction of a mansard addition extending from the ridge of the main roof of the property at the rear and sloping steeply down to the eaves line; two dormers would project slightly from the front face of the mansard. A further four rooflights would be inserted into the main roof of the front elevation. The development would provide an additional bedroom and en-suite shower room within the extended attic space. Importantly, the proposed extension would not extend beyond the rear facing wall of the main house. As a result and, because of the presence of the outriggers either side, the mansard would not appear over-dominant in relation to the original roofscape of the house.
17. As stated above, the appeal site's rear garden backs on to the back gardens of Oxford Road properties, which lie within the CA. Existing relatively dense vegetation and trees located within the rear gardens both sides of the CA boundary mean that only glimpsed views of the appeal property would be available. However, due to the prominence of the projecting outriggers either side of the proposed mansard, the proposal would not be readily visible from within the CA and would not materially harm land or buildings in the CA in any way. It would have a neutral effect on the character and appearance of the CA.
18. Whilst the appearance of the rear elevation would be changed, given the location of the mansard between the two storey outriggers either side, I do not consider that the proposal would be over dominant in terms of the character of the original house. I therefore conclude that the proposal would generally accord with the Council's policies and would not seriously conflict with the Council's SPG that appears to relate to situations that have greater prominence in the streetscape, which is not the case here.

Conditions

19. Neither party has submitted suggested conditions. I have paid due regard to the advice contained in Planning Practice Guidance on the use of planning conditions. I attach conditions relating to the time period for commencement of development and to the specifying of approved plans, both in the interests of certainty. A condition requiring matching roofing materials is also necessary in the interests of character and appearance.

Conclusions

20. For the above reasons and having regard to all other matters raised, **Appeal B is allowed.**

Gareth W Thomas

INSPECTOR