
Appeal Decision

Site visit made on 15 November 2016

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 1 December 2016

Appeal Ref: APP/F5540/D/16/3156532

10 Ashley Drive, Isleworth TW7 5QA

- 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 Kulwant Mali against the decision of the London Borough of Hounslow Council.
 - The application Ref 01531/10/P4, dated 22 March 2016, was refused by notice dated 24 May 2016.
 - The development proposed is for a single storey side and rear extension, two storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side and rear extension, two storey side and rear extension at 10 Ashley Drive, Isleworth TW7 5QA, in accordance with the terms of the application, Ref 01531/10/P4, dated 22 March 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: PL1/PP/2586-00, -01, -02, -03, -04, -05, -06 and -07.
 3. The materials to be used in the construction of the external surfaces of the extensions, hereby permitted, shall match those used in the existing building.
 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows shall be constructed on the north west flank elevation of the proposed two storey side extension.

Main Issues

2. The main issues in this case are the effect of the appeal proposal upon the character and appearance of the appeal dwelling and whether the proposal would preserve or enhance the character or appearance of the Osterley Park Conservation Area; and the effect of the proposal upon the living conditions of the occupants of 9 Ashley Drive, with specific reference to light and outlook.

Reasons

Character and Appearance

3. Ashley Drive is a private residential street comprising large, detached dwellings set within generous plots, being of a distinctly different character to some of the more vernacular architecture along Jersey Road and the wider Conservation Area. Some of the dwellings in the drive have been altered over time and I note from the planning history on the site that in December 2015 planning permission was granted for the erection of a two storey side, part single, part two storey rear and single storey side extension to 10 Ashley Drive. That proposal is relatively similar to that the subject of the appeal, albeit that the two storey side element was stepped down from the main ridge and set back from the front elevation of the host property. Nonetheless, this, as a fall-back position, is a material consideration that weighs quite heavily in the determination of the proposal.
4. The Council's Residential Extension Guidelines (2003) (REG) stipulate that side extensions should accurately reflect the design of the main house and remain secondary in their size and appearance. The REG require that the height and width of a side extension should be proportionate to the dimensions of the main house, with the width to be significantly less than the width of the main house.
5. The two storey side extension would some add bulk to the host dwelling although it would not be of a significant width and, overall in terms of its scale, it would not be unduly large. The existing dwelling enjoys a fair degree of articulation to its front elevation and, taking into account its detached form, I consider that the proposal would amount to a seamless extension in its appearance that would harmonise with its original architectural form. Further, its overall width would not be too dissimilar to other dwellings that have been extended within Ashley Drive and therefore it would not be out of character with its surroundings.
6. With respect to position, the REG states that such extensions should normally be set back at least 1m from the main front wall of the house to stop the creation of a terracing effect, but being detached and particularly with regard to the fact that 9 Ashley Drive to the north west is some distance away from and perpendicular to the appeal dwelling, such an effect would not be caused by the proposal in this instance.
7. I find that the proposal by virtue of its scale, positioning and design would not result in an overly bulky or incongruous addition to the main house and, further, would preserve the character and appearance of the Conservation Area. In this respect, the proposal complies with Policies CC1, CC2, CC4 and SC7 of the Hounslow Local Plan which require development proposals to complement the original building, harmonise with adjoining properties, maintain the character of the general street scene, along with preserving the Borough's network of designated and non-designated Heritage Assets and their settings.

Living Conditions

8. No 9 is set well back from the boundary shared with the appeal site, with a driveway depth of 15m as cited by the Council. I note that the two storey side

extension would run within 1.05m of the north-western boundary onto which no 9 faces, however, this is no different to the extant permission as referred to above. It is true that the previous scheme included the aforementioned set back from the front elevation and set down in the ridge, but any impact upon the living conditions of the occupants of no 9 in respect of outlook would not be significantly affected by the changes.

9. The Council has highlighted that the increase in size of the extension would result in some loss of light to the rooms at ground floor level at no 9, but that this is unlikely to be unacceptable on its own. The photographs submitted by the third party demonstrate that the dwelling as it currently stands causes some obstruction to sunlight, by virtue of its orientation. Therefore, I consider that the proposal would not give rise to a detrimental impact upon the daylight/sunlight received by the front habitable room windows of no 9, to such an extent as to withhold the grant of planning permission.
10. I also note the third party comments with regard to the width of the access to the rear garden, although the Council have not raised an issue with respect to this and I have no substantive reason to come to a different position on this matter.
11. I therefore consider that the proposal by virtue of its scale, position and design would not materially harm the living conditions of the occupants of 9 Ashley Drive. The proposal complies with Policy SC7 of the Hounslow Local Plan which requires development proposals to complement the original building, harmonise with adjoining properties and maintain the character of the general street scene and the character and amenity of private spaces, whilst minimising harm to neighbouring residents such as avoiding an unacceptable loss of daylight/sunlight, outlook or by creating an unacceptable sense of enclosure.

Conclusion and Conditions

12. For the reasons set out above, I conclude that the appeal should succeed.
13. Other than the standard time limit condition, the Council has suggested a condition requiring the external materials to be used in the construction of the extensions to match those of the existing building. In the interests of the character and appearance of the surrounding area, this is an appropriate condition, in addition, for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans is imposed. Furthermore, the Council considered that it is appropriate to remove permitted development rights for the construction of windows within the flank elevation of the proposed two-storey extension, in the interests of protecting the living conditions of the occupants of no 9, from overlooking, I consider that it is also a necessary and reasonable condition.

C J Tivey

INSPECTOR