

Appeal Decision

Site visit made on 29 November 2016

by Alex Hutson MATP CMLI MArborA

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

Decision date: 23 December 2016

Appeal Ref: APP/F5540/W/16/3157669

37 Magnolia Road, Chiswick W4 3QN

- 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 Anthony Olsen against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00723/37/P3, dated 30 November 2015, was refused by notice dated 29 July 2016.
 - The development proposed is extension and remodelling of dwelling house to form two residential units - a ground floor flat and maisonette above.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are: whether the proposal would preserve or enhance the character or appearance of the Strand on the Green Conservation Area (SGCA); the effect of the proposal on family housing stock within the Borough; and whether the proposal would provide adequate living conditions for any future occupiers with particular regard to external amenity space provision.

Reasons

Conservation Area

3. The appeal property lies within the SGCA. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that with respect to development affecting buildings or other land in a conservation area, "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." In addition, Paragraph 132 of the National Planning Policy Framework (the Framework) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
 4. The appeal property, which lies within a wider residential area, is a two-storey, end of terrace, single family dwelling, located at the northern end of Magnolia Road. Dwellings in the area typically comprise single family dwellings. The northern boundary of the appeal site adjoins a railway line.
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5. The block of terraced dwellings of which the appeal property forms part of, comprises 8 single family dwellings which individually display strong elements of symmetry, including in respect of their bay window detailing, first floor window detailing, lintel design and chimney features. The appeal property has a shallow hipped roof and prominent, attractive chimney features which are reflective of the roof form and chimney features of the dwelling at the southern end of the terraced block. This is apparent in views from along Magnolia Road. In addition, I observed that the prominent and attractive chimney features of the appeal property and other dwellings within the terraced block are apparent in views from public vantage points along Deans Lane to the north-east of the appeal property and from an associated footbridge which crosses the railway line.
6. The strong elements of symmetry that exist between the dwellings within the terraced block, its overall uniform appearance and the prominent and attractive chimney features of individual dwellings, including those of the appeal property, make a strong and positive contribution to the character and appearance of this part of the SGCA. The residential characteristics of the area are also strongly defined by single family dwellings.
7. The proposal would introduce a two storey side extension, a single storey rear extension and a rear roof extension to subdivide the appeal property into a ground floor flat and maisonette above. Three rooflights would be introduced into the front roofslope.
8. The size and positioning of the front rooflights would reflect the size and positioning of the front rooflights of other dwellings in the area. I would also concur with the Council that the single storey rear extension, given that it would have a subordinate relationship with the appeal property, would not detract from the character and appearance of this part of SGCA. Furthermore, I observed that there are a number other rear roof extensions in the area and, as such, the proposed rear roof extension would not appear wholly out of character within this context. In addition, whilst the Council cites conflict, in respect of the rear roof extension, with their Residential Extension Guidelines Supplementary Planning Guidance 2002 (updated 2007) (SPG), the SPG is not a recent document and refers to, and was adopted in the context of now outdated local planning policies. As such, this substantially reduces the weight that I afford to it.
9. Nevertheless, the proposed two storey side extension and associated roof extension over this element would considerably alter the characteristic roof form at this end of the terraced block and would remove the existing attractive and prominent chimney features. In addition, the proposed bay window detailing, first floor window detailing and lintel design would fail to respect and complement the appearance of these elements of the appeal property and other dwellings within the terraced block. This would unbalance the appearance of the appeal property and would appear considerably at odds with the symmetrical and uniform elements of individual dwellings within the terraced block and the terraced block as a whole. In addition, the subdivision of the resultant building would be at odds with the established character of the area which is of single family dwellings. Consequently, for these reasons, the proposal would fail to preserve the character and appearance of the SGCA.

10. The examples of other development in the area highlighted by the appellant do not persuade me to alter my decision on this matter, given that they do not form part of the same block of terraced dwellings and therefore do not share the same context. In addition, each case should be determined on its own merits.
11. However, in the context of the SGCA as a whole, I consider the harm that would arise to the significance of the SGCA designated heritage asset would be less than substantial when considered in the context of Paragraphs 133 and 134 of the Framework. Here, it is anticipated that the harm so quantified, needs to be balanced against any public benefits the proposal might bring.
12. With respect to this, I have not been presented with any compelling evidence from the appellant to this effect. However, I acknowledge the benefits of an additional housing unit with regard to increasing the housing supply in the Borough. With an eye to the policies of the Framework as a whole, I accept that such a contribution to housing supply may be, in the context of Paragraph 134 of the Framework, a public benefit. However, such a contribution would be, in the wider scheme of things modest, and would not be sufficient in my view to outweigh the harm I have identified in respect of the designated heritage asset.
13. The proposal would therefore be contrary to the requirements of s72(1) of the Act and the harm identified, albeit less than substantial, would not be outweighed by public benefits as required by paragraph 134 of the Framework. The proposal would also be contrary to Policies CC1- Context and Character, CC2- Urban Design and Architecture, CC4- Heritage; SC6- Managing Building Conversions and Sub-Division of the Existing Housing Stock and SC7- Residential Extensions and Alterations, of the London Borough of Hounslow Local Plan Volume 1 2015-2030 (Local Plan). These policies require, amongst other things, development to respect and maintain the character and appearance of an area, to demonstrate high quality design that creates distinctive places and to conserve or enhance the significance of heritage assets.
14. These policies are consistent with the aims and objectives of the Framework which require planning to take account of the different roles and character of different areas and to conserve heritage assets in a manner appropriate to their significance.

Family housing stock

15. Policy SC6, of the Local Plan, seeks to resist the sub-division of existing housing stock unless the original internal floor area of the house is 130 square metres (sqm) or greater. Where properties are of a sufficient size to be sub-divided, at least one family sized unit comprising two bedrooms for four people should be provided at ground floor level in any residential conversion. This supports the Council's objective to retain an adequate stock of family housing, whilst also preventing any adverse impact on the character of existing residential areas.
16. The appeal property has an original internal floor of approximately 71sqm. This therefore falls well below the size requirements set out in Policy SC6 to allow for its sub-division. Whilst I note that with the proposed extensions to the appeal property, the resultant building would exceed 130sqm, the policy

does not allow for such extensions to be included within the original floor area calculations. In addition, the proposed ground floor flat would provide only one double bedroom and one single bedroom which would not meet the requirements set out in Policy SC6. The same is true for the proposed maisonette. Whilst I acknowledge that the appeal property currently has one double bedroom and one single bedroom, the proposed ground floor flat would have a smaller floor area and would therefore not be a like for like replacement of the existing house. Moreover, as set out above, the proposal would detract from the character and appearance of the area which is predominantly of single family dwellings.

17. I therefore conclude that the proposal would be harmful to the stock of family housing in the Borough which would be contrary to Policy SC6, of the Local Plan. This policy is consistent with the aims and objectives of the Framework which require local authorities to plan for a mix of high quality housing, including housing for families.

Living conditions

18. Policy SC5- Ensuring Sustainable Internal and External Amenity Space, of the Local Plan, requires at least 6sqm of private amenity space for every 3 person flat. This is consistent with guidance set out within the Mayor of London's Housing Supplementary Planning Guidance 2016 (HSPG). Policy SC5 also requires the provision of communal external amenity space in respect of residential development including conversions. The Council sets out that this additional outdoor amenity space is an essential characteristic of Hounslow's suburban location and forms a key benefit for people wishing to live and stay within the Borough.
19. The proposal would not provide any communal external amenity space for the proposed residential units. The Council also raises a concern that the proposal would not provide any private amenity space for the proposed maisonette. However, the submitted plans indicate that a terrace would be provided at first floor level to the rear which would be accessed from a room annotated as a dining/study/snug room. This is also referred to within the appellant's evidence. Nevertheless, I have not been provided with any figures relating to the size of the terrace that would allow me to conclude whether or not it would meet the required standards. In addition, the terrace would be irregular in shape which would likely limit its utility for any future occupiers of the maisonette.
20. Consequently, I conclude that the proposal would provide an inadequate level of private and communal external amenity space and would, as a result, provide inadequate living conditions for any future occupiers. This would be most notable for any future occupiers of the proposed maisonette.
21. The proposal would therefore be contrary to Policy SC5, of the Local Plan. The proposal would also be contrary to Policy 3.5- Quality and Design of Housing Developments, of The London Plan: The Spatial Development Strategy for London Consolidated with Alterations Since 2011 March 2016. This policy requires, amongst other things, housing development to be of the highest quality, including externally and in relation to its context, taking account of London's residential environment and attractiveness as a place to live. The HSPG supports this policy. In addition, the proposal would fail to comply with the aims and objectives of the Framework which require development to

provide a high standard of amenity for all future occupants of land and buildings.

Other matters

22. The evidence indicates that the appeal site lies within an area at increased risk of flooding, as identified on the Environment Agency (EA) Flood Zone Map. The Framework indicates that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Nevertheless, on the basis that I am dismissing the appeal on the above main issues anyway, I do not consider that it is necessary for me to consider this matter further.
23. I acknowledge a number of third party concerns, including in respect of light, highway safety, noise and disturbance and privacy. However, these matters did not form part of the Council's reasons for refusal and on the basis of the evidence before me, I have no substantive reasons to take a different view.

Conclusion

24. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR