
Appeal Decision

Site visit made on 11 January 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 27th January 2017

Appeal Ref: APP/F5540/W/16/3160351
116A Barrowgate Road, Chiswick, W4 4QP

- 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 Professor Peter Pilgrim against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00079/116A/P3, dated 21 March 2016, was refused by notice dated 1 August 2016.
 - The development proposed is described as "Demolition of a conservatory and the construction of a single storey extension. Enlarge a side window".
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension and the enlargement of a side window to the ground floor flat at 116A Barrowgate Road, Chiswick, W4 4QP in accordance with the terms of the application, Ref 00079/116A/P3, dated 21 March 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; N291/PP/1.0 Existing Ground Floor; N291/PP/2.0 Existing First Floor; N291/PP/3.0 Existing Second Floor; N291/PP/4.0 Existing Side Elevation; N291/PP/5.0 Existing Front and Rear Elevations; N291/PP/6.0 Existing Ground Floor Sections; N291/PP/7.0 Proposed Ground Floor; N291/PP/8.0 Proposed Ground Floor Roof and First Floor Plan; N291/PP/9.0 Proposed Side Elevation; N291/PP/10.0 Proposed Rear Elevation; N291/PP/11.0 Proposed Ground Floor Sections.
 - 3) 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 window or other glazed opening shall be constructed on the western elevation of the extension hereby permitted.
 - 4) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
-

Procedural Matters

2. The description of development given in my formal decision is taken from the appeal form and the decision notice. This reflects a wording change that was agreed between the parties and the application was determined on that basis.
3. A number of plans were submitted with the appeal documentation. However, I have assessed the development using the plans on which the Council based their decision. I have not taken into account the other plans in this case.

Main Issues

4. The main issues are the effect of the development, firstly, on the character and appearance of the host building and the surrounding area and, secondly, on the living conditions of the ground floor flat at No 114 Barrowgate Road with regard to overshadowing and loss of outlook.

Reasons

Character and appearance

5. The appeal dwelling is a ground floor apartment within a block that appears to be of 1930s construction. It currently has an existing conservatory extension to the rear.
6. The submitted plans indicate that the extension would project around a metre further to the rear than the existing conservatory (excluding the canopy). It would also be of a comparable height to the conservatory. The design of the extension would be modern and would include a glazed rear facing elevation. This would contain sympathetic fenestration detailing that would harmonise with the windows in the existing building. Whilst the proposed design would be modern, it would complement the existing building and the surrounding area. I further note that the existing conservatory is also of a different design to the host building, and is predominantly constructed of glazing.
7. Reference has been made to a single storey extension at No 124 Barrowgate Road. However, this is a much larger extension to a detached house, and is therefore not directly comparable to the current appeal proposal.
8. I conclude that the development would not significantly harm the character and appearance of the host building or the surrounding area. It would therefore be in accordance with Policies CC1 (Context and Character), and CC2 (Urban Design and Architecture) and SC7 (Residential Extensions and Alterations) of the London Borough of Hounslow Local Plan (2015). These policies seek to ensure, amongst other things, that new development respects the existing character and appearance of the area.

Living conditions

9. The extension would be constructed along the boundary with the ground floor flat at No 114 Barrowgate Road. This part of the boundary is currently occupied by the existing conservatory and a tall boundary hedge.
10. The submitted plans indicate that the extension would have a similar height to the existing conservatory. In addition, whilst part of the extension would project beyond the existing conservatory, this part of the boundary is currently occupied by a tall hedge. In these circumstances, the development would not

result in a significant loss of light or outlook to the adjacent occupiers. Whilst the extension would project slightly further than the maximum depth specified in the Residential Extension Guidelines Supplementary Planning Guidance, no significant harm would arise in this case.

11. I conclude that the development would not significantly harm the living conditions of the ground floor flat at No 114 Barrowgate Road with regard to overshadowing and loss of outlook. It would therefore be in accordance with Policies CC1 (Context and Character), and CC2 (Urban Design and Architecture) and SC7 (Residential Extensions and Alterations) of the London Borough of Hounslow Local Plan (2015). The policies seek to ensure, amongst other things, that new development does not unduly harm the amenity of adjacent occupiers.

Other Matters

12. Interested parties have expressed concern regarding the proposed removal of the fire escape ladder. However, the means of fire escape, and any liabilities associated with its removal, are matters that fall outside of the planning regime.
13. The development would be of a comparable height to the existing conservatory, and would be set below the first floor windows above. It would therefore not lead a significant loss of outlook or natural light to the occupiers of those properties.
14. The existing outbuilding at the rear of the garden does not form part of the current appeal proposal.

Conditions

15. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary for clarity and to ensure a satisfactory development. I have also imposed conditions that removes permitted rights to insert a window or other glazed opening into the western elevation of the extension, and that restrict the use of the roof area as a balcony, roof garden or similar. These are necessary in order to protect the privacy of neighbouring occupiers.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR