

Appeal Decision

Site visit made on 24 January 2017

by G J Fort BA PGDip LLM MCD MRTPI

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

Decision date: 07 February 2017

Appeal Ref: APP/F5540/D/16/3163294
112 Fernside Avenue, Feltham TW13 7BW

- 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 and Mrs Owen against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00442/112/P2, dated 31 August 2016, was refused by notice dated 2 November 2016.
 - The development proposed is double-storey side extension and single-storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a double-storey side extension and single-storey rear extension at 112 Fernside Avenue, Feltham TW13 7BW in accordance with the terms of the application, Ref 00442/112/P2, dated 31 August 2016, 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 plan: Two Storey Side/Part Rear Extension drawing no. 1344/01.
 - 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.

Main Issues

2. I consider the main issues in this appeal to be firstly, the effect of the proposed development on the character and appearance of the host dwelling and its surroundings; and secondly, the effects of the proposed development on the living conditions of the occupiers of adjacent dwellings in respect of outlook and the availability of daylight and sunlight.

Reasons

Character and appearance

3. Located in a principally residential area, the appeal property is a two-storey dwelling at the end of a short row, with a hipped roof, and bay front in an avenue which comprises houses of a markedly similar design. Set back from
-

the road with long back gardens the appeal property and its surrounding dwellings have a variety of rear extensions and garden buildings. There is a gap between the appeal property and its detached neighbour No 114; however, along the wider avenue similar gaps have been closed by extensions of varying scales and design.

4. The proposed development would introduce a two-storey side extension, with a hipped roof, which would extend almost up to the boundary with No 114. At the front, whilst set back from the host dwelling's prominent bay window, it would continue the building line of the front wall. At the rear a two-storey gable would extend from the rear roof slope. The existing rear outrigger would be replaced by a single-storey extension with a monopitch roof extending across the width of the rear elevation and the proposed side element.
5. In terms of the two-storey element of the proposed development, I note that, due to its lack of a set down from the main roof, and its lack of a 1m setback from the bay projection of the host dwelling that it would be at variance with the advice given in the Council's Residential Extension Guidelines Supplementary Planning Guidance (adopted October 2003) (The SPG). However, the appeal property's wide two-storey bay would remain the dwelling's most prominent feature, allowing its original proportions to remain dominant. At the rear the gable projection from the roof would be of a limited depth, and set down from the roof ridge. As a result the proposed two-storey rear projection would read as neither an excessive nor over-dominant structure in the context of the host dwelling. Consequently, the proposed two-storey element would not constitute a bulky or dominant addition that would cause significant harm to character and appearance of its host dwelling.
6. I saw at my site visit a number of side extensions on end dwellings of varying proportions and scales along the avenue. The prevalence of these structures, a number of which are inter-visible with the appeal property, provides a wider context with which the proposed development would not be out of kilter. As a result I consider that no significant harm would occur to the character and appearance of the appeal property's surroundings as a result of the proposed development.
7. The depth of the proposed single-storey rear extension would be in excess of the SPG's recommended depth of 4.25m from the rear of the host dwelling. However, it would only be of marginally greater depth than the property's existing outrigger, which it would replace. Moreover, its proportions in other respects would be subservient to its host dwelling. Whilst I saw no similar extensions to the one proposed in neighbouring gardens, I did see a variety of rear additions, and consequently the proposed development would assimilate readily into the surrounding context.
8. These considerations lead me to the view that no significant harm would occur to the character or appearance of the host dwelling or its surroundings as a result of the proposed development. Consequently, the proposed development would not conflict with Policies CC1, CC2 and SC7 of the Hounslow Local Plan (adopted September 2015) (the Local Plan), insofar as they seek to ensure that proposals for residential extensions respond to the context and character of their surroundings and do not harm the character and appearance of their host buildings. Whilst I note that the proposed development would conflict with aspects of the SPG's advice, the lack of harm

that it would cause in these regards, and its consequent compliance with development plan policies, justifies a departure from the SPG in this instance.

Living Conditions

9. I saw that the rear garden of No 110 is deep, and that its rear outrigger window is obscure-glazed. The proposed single-storey extension would project only around 1.7m beyond the adjoining outrigger of No 110, and due to the roof's slope would only be of a limited height adjacent to the boundary. Consequently, due to these factors, the proposed rear extension would not be an enclosing or overbearing structure that would result in a material reduction of the outlook available to the occupiers of No 110.
10. The eastward orientation of the rear aspects of the appeal property and its immediate neighbours, combined with the limited scale and depth of the proposed single-storey extension beyond its attached outrigger would mean that the availability of sunlight and daylight to either the garden of No 110, or the rear window of its outrigger would not be restricted to any material degree. Thus, whilst the depth of the proposed extension would be in excess of that advised in the SPD, I find that it would cause no material harm to the living conditions of No 110's occupiers in terms of the availability of daylight, sunlight or outlook.
11. The proposed side extension, whilst closer than the host dwelling's existing flank wall would still be separated by around 2.5m from the dwelling at No 114. The proposed two-storey element at the rear would project only to a very limited depth from the existing rear building line of the host dwelling. The single storey element of the proposed development would be of a limited scale that would not be significantly in excess of boundary treatments present at the site. No 114 also has a deep garden, and the proposed development would only be adjacent to a limited proportion of this. Taking these matters together, I consider that the proposed development would not enclose the garden to a degree that would be overbearing or harmfully enclosing.
12. No 114 has a large glazed door on the ground floor of its rear elevation. This is located to the side of the property away from the boundary with No 112, and would offer only oblique views of the proposed development in part of a wider view including, most predominantly No 114's garden. Consequently, the proposed development would not be an unduly enclosing structure that would reduce the outlook available from the glazed doors to any material degree. On the first floor rear elevation of No 114 the nearest window is obscure-glazed and a first floor window on the flank wall currently offers only a limited outlook onto the appeal property's existing side wall. As a result, I consider that the proposed development would not materially affect the outlook available to No 114's occupants from either of these windows.
13. The proposed development would thus not cause significant harm to the living conditions of the occupants of Nos 110 and 114 in terms of access to daylight, sunlight or outlook. Consequently, the proposed development would not conflict with Policies CC2 and SC7 of the Local Plan insofar as they seek to ensure that residential extensions minimise harm to the amenity of current and future residents. The proposed development's compliance with the development plan in these regards is a consideration justifying a departure from the advice of the SPG in this instance.

Other Matter

14. I note comments regarding works to the party wall; however, this is essentially a private matter that has not been instrumental in my assessment of the planning merits of the appeal.

Conditions

15. I have considered the list of conditions supplied by the Council against the tests given in paragraph 206 of the National Planning Policy Framework: namely, that they should only be imposed where they are necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects.
16. In the interests of certainty, it is necessary to attach a condition specifying the approved plans. In order that the proposed development is sensitive to the character and appearance of its host dwelling and its surroundings I have attached a condition requiring matching materials to be used in its construction.
17. As the permitted development right for the insertion of windows in a side elevation of a domestic property is conditional on them being either obscure-glazed or 1.7m above the floor level, I consider it unnecessary to insert a specific condition requiring approval of any further windows on the flank walls. Moreover, I have been supplied with no compelling reasons to justify the attachment of a condition restricting the insertion of additional doors.

Conclusion

18. The proposed development would not conflict with the development plan insofar as the policies that have been drawn to my attention are concerned. Accordingly, for the reasons given above, and having regard to all other matters raised I conclude that the appeal should succeed.

G J Fort

INSPECTOR