
Appeal Decision

Site visit made on 2 March 2017

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 13 March 2017

Appeal Ref: APP/F5540/D/17/3167539
717 Bath Road, Hounslow, TW5 9SZ

- 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 Sawinder Arora against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00083/717/P6 was refused by notice dated 15 December 2016.
 - The development proposed is the erection of a part single storey and part double storey rear extension, following replacement of an existing conservatory.
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Decision

1. The appeal is allowed and planning permission granted for the erection of a part single storey and part double storey rear extension, following replacement of an existing conservatory at 717 Bath Road, Hounslow, TW5 9SZ, in accordance with the terms of the application, Ref 00083/717/P6, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location map and drawing nos. MD/3011 – 01/BK, MD/3011 – 02/BK, MD/3011 – 03/BK, MD/3011 – 04/BK, MD/3011 – 05/BK, MD/3011 – 06/BK, all dated 02.03.2016.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) All procedures, demolition, works and development shall be carried out in full accordance with all the proposals set out in the BS5837 Arboricultural Impact Assessment dated October 2016 submitted as part of the application to the Council unless otherwise agreed in writing by the local planning authority.
 - 5) Before the first occupation of the first floor extension hereby permitted the first floor window in the flank wall facing Bloomsbury Court shall be fitted with obscured glazing, and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
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Main Issues

2. The main issues are:

- whether the proposal would preserve or enhance the character or appearance of the Cranford Village Conservation Area including the effect on 2 trees protected by a Tree Preservation Order
- the effect of the proposed single storey extension on the living conditions of the residents of no. 719 Bath Road in respect of outlook, daylight and sunlight.

Reasons

Character and appearance

3. This part of the conservation area is mixed in character with no. 717 positioned at the end of a row of 2-storey dwellings adjoining a more modern block of 3-storey apartments. Facing a busy dual carriageway, the appeal dwelling is close to the edge of the conservation area some way from the historic core of Cranford Village.
 4. The proposal involves the demolition of an existing rear conservatory and canopy, which are in a poor state of repair and appear to have been in place for some time. They would be replaced with a similar sized single storey extension and canopy. For the avoidance of doubt, I am assuming that the canopy would be reinstated as indicated on several of the submitted drawings including the Tree Protection Plan. As the proposed single storey elements are similar in scale and mass to the existing, and they are of a design in keeping with the dwelling house, these elements would preserve the character and appearance of the conservation area.
 5. The proposed first floor extension with its set-down hipped roof and matching side parapet respects the scale, design and proportions of the existing dwelling house as seen from the rear. There is a further projection of the largely blank flank elevation, but this elevation is scarcely visible in the gap between buildings from Bath Road being partially screened by frontage trees. Furthermore, the extended flank elevation would be viewed in the context of the dominating wall of the 3-storey flat roofed building adjacent. Taking all these matters into account, the first floor element of the proposal would preserve the character and appearance of the conservation area.
 6. I find that the proposal taken as a whole would not appear bulky, obtrusive or incongruous, or disproportionate to the previously extended dwelling. The proposal would therefore preserve the character and appearance of the Cranford Village Conservation Area.
 7. There are 2 mature oak trees protected by a Tree Preservation Order in the rear garden. They are visible from Mornington Crescent beyond a garage court and have significant amenity value in the conservation area and street scene. The appellant has submitted an Arboricultural Impact Assessment (AIA) that recommends measures to ensure the continued protection of the 2 trees in accordance with British Standard 5837. The Council does not dispute the findings of the AIA, and I find no material harm to the 2 protected trees subject to a condition requiring the proposals within the AIA to be implemented in full.
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8. There is no conflict with Policies CC1, CC2 and CC4 of the Local Plan 2015-2030 Volume One (LP) that seek to conserve and take opportunities to enhance special qualities, heritage and the character of a conservation area, and to support a high quality of design. There is also no conflict with LP Policy SC7 that seeks to ensure extensions maintain the character of an area.
9. The development plan objectives are consistent with those set out in the National Planning Policy Framework. Paragraphs 17 and 60 seek to secure a high quality of design, and to reinforce local distinctiveness. Paragraph 132 of the Framework says 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. The proposal meets the objectives of the Framework in these respects.
10. The guidelines specified in the Residential Extension Guidelines, adopted in 2003, pre-date legislation relating to changes in permitted development rights for householder development. Moreover, the existing rear extension, conservatory and canopy are in place and therefore are material to the decision.

Living conditions

11. The proposed single-storey projections adjacent to the boundary with the attached house at no. 719 would be of a similar height and projection as those elements to be replaced, as indicated on the submitted drawings. There would be different materials with the glazed side wall to be replaced by a brick faced wall.
12. There is substantive vegetation at this point that helps to screen the flank elevation on the boundary, so that the effect on outlook and any sense of enclosure from no. 719 would not be materially different. Similarly, there would be no additional material effect on the amount of daylight or sunlight into no. 719.
13. The proposed first floor extension is sited further away from the common side boundary with no. 719 so that there would be no material harm to living conditions from this aspect of the proposal. Taken as a whole, there is no substantive evidence to indicate any material harm to the living conditions of residents of no. 719 in respect of outlook, daylight and sunlight. I find no conflict with LP Policy CC2 that seeks to provide adequate outlook, daylight and sunlight, or with LP Policy SC7 that seeks to ensure that extensions do not result in harm to the amenity of neighbouring residents.
14. The development plan policies are consistent with paragraph 17 of the Framework, which indicates that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. There is no conflict with the Framework in this respect.

Other matters and conditions

15. Conditions are necessary in respect of external materials to ensure a satisfactory finished appearance, and to ensure that the proposals recommended in the AIA to protect the trees are implemented in full. There is also a condition requiring obscured glass in a side facing first floor window to prevent unacceptable overlooking. Standard conditions are also necessary to cover commencement and compliance with the approved plans.
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16.I have taken into account all other matters, including all the policies in the Framework, and other national planning policy and guidance, but I find none that warrant dismissal of this appeal.

Sue Glover

INSPECTOR
