
Appeal Decision

Site visit made on 27 April 2017

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

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

Decision date: 19 May 2017

Appeal Ref: APP/F5540/D/16/3161423

48 Lateward Road Brentford TW8 0PL

- 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 & Mrs Fergusson against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00681/48/P2, dated 10 August 2016, was refused by notice dated 7 October 2016.
 - The development proposed is a single storey rear and rear side infill extension, including reducing garden level.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear and rear side infill extension, including reducing garden level at 48 Lateward Road Brentford TW8 0PL in accordance with the terms of the application, Ref 00681/48/PL, dated 10 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 plans: 1:1250 site plan, 1:500 existing block plan, 1:500 proposed block plan, 2103-S01, 2103-TP01.
 - 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) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
 - 5) Demolition or construction works shall take place only between the hours of 08:00 to 18:00 on Mondays to Fridays and 09:00 to 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Main Issues

2. The main issues are the effect on:
 - The character and appearance of St Paul's Brentford Conservation Area (SPBCA); and
 - The living conditions of neighbouring residents, with particular regard to outlook.
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Reasons

Character and appearance

3. The appeal site is within SPBCA and from the details available to me I consider that the significance of SPBCA is largely drawn from the traditional terraces of housing, the well preserved public, industrial, amenity and religious buildings as well as the use of materials, pattern of development and the relationship of buildings to the spaces around them. The part of SPBCA in the immediate vicinity of the appeal site is characterised by 19th Century terraced housing with similar house sizes and types providing a harmonious regularity.
4. The appeal dwelling is a 2-storey mid terrace with a 2-storey outrigger to the rear and a single storey lean-to extension attached to the outrigger. Other properties in the terrace are of similar design and I noted at my site visit that the majority of dwellings in close proximity to the site have single storey rear extensions that project beyond the outriggers.
5. The proposal would entail the replacement of the existing lean-to extension with a single-storey extension that would wrap around the 2-storey outrigger. It would extend the full width of the house and approximately 2.8 metres from the rear of the outrigger and have a mainly flat roof. The walls would be faced with yellow stock brick to match the existing and it would be partially 'sunk' into the garden to reduce the overall height of the building.
6. The Council's *Residential Extensions Guidelines* Supplementary Planning Guidance (2003) (REG) advises that extensions that completely block-in the space next to, and wrap around, original rear projections will normally be refused. It recommends that separate extensions to the rear of each wall be built to ensure that the staggered shape of the original house is retained. Furthermore, it advises that in conservation areas extensions should never dominate or extend beyond the line of neighbouring extensions, and original rear extensions that form a specific feature of the building or rhythm of the terrace should be preserved.
7. In this case, whilst the proposal would clearly alter the appearance of the back of the house at ground floor level, the scale and height of the proposal would mean that it would be subordinate to the host property and that the 2-storey outrigger would remain the dominant rear feature. Moreover, even though the 'L-shape' of the building's footprint would be lost the shape would be retained above ground floor level and it is this part of it that can be seen from back gardens in views along the rear of the terrace. In addition, houses near the appeal site have a variety of rear extensions and these have eroded any regularity or rhythm that would have existed at ground floor level and the proposal would not extend beyond the line of neighbouring extensions.
8. In conclusion the proposed development would preserve the character and appearance of SPBCA. As such the proposal would be in accordance with S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that, in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
9. It follows that it complies with Policies CC1, CC2 and CC4 of the Hounslow Local Plan (2015)(LP); and the REG which collectively seek to ensure high quality design and the conservation and enhancement of the historic environment by requiring residential extensions to complement the original

building, harmonise with adjoining properties and maintain the character of the area.

Living conditions

10. The infill element of the extension would be adjacent to a similar extension at 47 Lateward Road (No 47) but would project about 2.8 metres further than No 47's. The Council is concerned that this additional length with its height and proximity would create a sense of enclosure and lead to loss of outlook for the neighbouring occupiers. There is a boundary fence of around 2 metres high between the properties. The top section of the flank wall of the extension would project above this boundary treatment. However, I consider that, given the marginal increase of wall above the fence that the extended building would not be experienced by the occupants of No 47 as overbearing from the dwelling or the garden.
11. I appreciate that the proposed depth, from the main wall of the dwelling, would not be in compliance with the REG which includes a limitation intended to protect neighbours' living conditions. However, given the development which exists at No 47 and my findings above it is reasonable to take a pragmatic view on the proposal and the REG document is for guidance and cannot be expected to cover every eventuality.
12. In conclusion the proposal would not adversely impact the living conditions of the neighbouring occupiers of No 47 with regard to outlook. Despite technical breaches of the guidelines in the REG, the site specific circumstances of this appeal mean that the scheme would still comply with the overall amenity aims of the guidance. As such the proposal would comply with LP Policy CC2 which, amongst other things, seeks development that has a positive impact on the amenity of current and future residents.

Conditions

13. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance and the National Planning Policy Framework. In the interests of conciseness and enforceability the wording of some of the conditions has been amended.
14. In order to provide certainty as to what has been permitted I have imposed a condition specifying the relevant drawings. In the interests of character and appearance, it is necessary to impose a condition requiring matching materials.
15. In the interests of amenity it is necessary to impose conditions on hours of construction and the use of the roof area.
16. I am not satisfied that the condition restricting windows and doors in the extension is reasonable or necessary as it is unlikely that window/doors would be inserted in the flank walls and the rear wall would be practically filled with glazed doors.

Conclusion

17. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be allowed.

D. Boffin

INSPECTOR