
Appeal Decision

Site visit made on 20 April 2017

by Rachel Walmsley BSc MSc MRTPI

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

Decision date: 23 May 2017

Appeal Ref: APP/F5540/W/16/3162330

36 The Grove, Isleworth TW7 4JF

- 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 Mrs M Khan against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00523/36/P2, dated 19 August 2016, was refused by notice dated 26 October 2016.
 - The development proposed is side and rear single storey extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. It was apparent from my observations on site that the existing property had been extended but not to the internal layout proposed. The property was also in use as a care facility which the Council confirms does not have planning permission. I will, therefore, consider the appeal on the basis of the planning application details and submitted drawings.

Main Issues

3. These are:
 - (i) the effect of the proposal on the living conditions of occupiers, with particular regard to privacy, daylight and outlook; and,
 - (ii) the effect of the proposal on the character and appearance of the host building, the surrounding area and the Conservation Area.

Reasons

Living conditions

4. The extension would adjoin and surround an existing ground floor bedroom, including the only window to this bedroom. The privacy afforded to users of the bedroom would be harmed; people using the proposed reception area would see into the bedroom. There is no suggestion that the window would be obscure glazed or that the privacy of prospective occupiers would be protected by any other means.
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5. The proposed extension would limit levels of natural light into the existing bedroom. The skylights proposed within the reception area would alleviate some of the darkness however, by virtue of the window to the bedroom being small and the only window to this room, any exclusion of light would have a notable effect on levels of light in the bedroom. As proposed, therefore, the extension would create a dark and gloomy bedroom that would not be a pleasant space to dwell in.
6. The extension would also compromise the outlook from the bedroom; views from the bedroom would be into another internal space. However, the bedroom, compared with other rooms, is not a place where occupiers are likely to spend long waking hours. The harm caused to living conditions for reasons of poor outlook, therefore, is limited.
7. The appellant suggests that the existing bathroom and bedroom at ground floor level could be swapped around to overcome concerns for living conditions. However, in doing so, problems of privacy, daylight and outlook would then apply to the bathroom. I accept that matters of daylight and outlook would be less relevant to a bathroom than a bedroom but privacy would be as important. Furthermore, given the difference in room sizes, I doubt that the rooms could simply be 'swapped' without more detailed consideration for matters such as plumbing and internal space standards in relation to use. I have given consideration to a planning condition that would require the appellant to submit a revised internal layout for approval by the local planning authority. However, in light of the reservations highlighted, the swapping of rooms would not be a minor modification. The Planning Practice Guidance states that only minor modifications should be sought by condition and therefore securing such a change by condition in this instance would not be reasonable.
8. Whilst the harm found to living conditions by virtue of outlook is limited, this does not overcome the harm relating to privacy and daylight. Policy CC2 of the Local Plan¹ seeks to ensure that development has a positive impact on the amenity of current and future residents and provides appropriate living conditions to include privacy, light and outlook. The proposal would, therefore, be harmful to the living conditions of occupiers and as a result would be contrary to policy CC2.

Character and appearance

9. The appeal site includes an Italianate property which fronts the street, The Grove. The property is one of a number of large properties within the street that are set within their own grounds. There is a degree of separation between the appeal site and its surroundings as a result of its position between a road and a public footpath and the architectural form of the building which is different to neighbouring properties.
10. The appeal site is within the Spring Grove Conservation Area (CA). The CA is noted, in part, for its Italianate properties; the property on the appeal site dates back to the original Davies Estate. The rear elevation is largely obscured from view and therefore makes a limited contribution to the character and appearance of the CA. The property is most visible from the street, however from here views of the property are limited given the mature trees and landscaping that surround it and a notable brick wall and gates that front the

¹ London Borough of Hounslow, Local Plan 2015-2030 (Volume 1)

site. The appeal site, therefore, makes a limited contribution to the character and appearance of the CA and therefore is of limited significance to the character of the CA as a whole.

11. The proposed extension would be notable in size but when considered in three-dimensional form and in relation to the existing property, it would appear subservient in scale and therefore would not detract from the scale of the existing property. The shape and form of the extension would also be subservient to the existing building and would not detract from its Italianate character.
12. Part of the proposed development would be visible from the street and from the public footpath which runs adjacent to the site. However, the proportion of the extension that would be visible would not be unduly prominent and therefore would not detract from the visual qualities of the Italianate building or from the character and appearance of the area.
13. Brick on the front elevation of the proposed extension to match the existing property would not detract from the visual qualities of the existing building. The drawings suggest that the brick on the rear elevation would be different to the existing materials. The existing rear elevation has been extended with an extension of different materials to the original property. An extension in brick would introduce another palette of materials but at the same time would distinguish it from earlier developments. When considered alongside the limited visibility of the development from the rear, the brickwork would not detract from the character of the host property or its surroundings to have a discernible effect on character and appearance.
14. I have found a lack of harm to the character and appearance of the host building and surrounding area. The National Planning Policy Framework (the Framework) identifies that heritage assets are irreplaceable resources. Paragraph 132 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, such as the Spring Grove Conservation Area, great weight should be given to the asset's conservation. When considering the lack of harm to the character and appearance of the host building and surrounding area, together with the limited significance of the site to the character and appearance of the CA as a whole, the proposed development would not be harmful to the character and appearance of the CA.
15. Therefore, in considering the proposal and the setting of the CA and in accordance with the clear expectations of the Planning (Listed Building and Conservation Areas) Act 1990, the proposal would have a neutral effect on the character and appearance of the CA. I do not find, therefore, that the proposal would be contrary to paragraph 132 of the Framework which anticipates that great weight be afforded to the conservation of designated heritage assets, including their setting, nor policies CC1, CC2 or CC4 of the Local Plan which seek development that responds to and integrates with local character and conserves and enhances existing architecture and the character of an area.

Other matters

16. Whilst it was apparent from my observations on site and from the evidence before me that the existing property is in use as a care facility for young persons, as demonstrated in the planning history and the Council's evidence,

this use does not benefit from planning permission. As it stands, therefore, I am required to consider the application as proposed; that of a side and rear single storey extension to a residential dwelling. The benefits the development may have for the residents of the care facility therefore, do not carry weight in favour of the appeal.

Conclusion

17. Although I have found that the development would not be harmful to the character and appearance of the host building or the surrounding area and that the development would preserve the character and appearance of the CA, I have found harm in relation to the living conditions of occupiers, with particular regard to privacy, daylight and outlook. With no other matters that carry weight in favour of the appeal and as the lack of harm to character and appearance does not outweigh the harm related to living conditions, the development would be contrary to the development plan as indicated. The appeal is therefore dismissed.

R Walmsley

INSPECTOR