



Appeal Decision

Site visit made on 30 May 2017

by **Peter D Biggers** BSc Hons MRTPI

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

Decision date: 12th June 2017

Appeal Ref: APP/F5540/D/17/3170574
18 Chiswick Road, Chiswick, London W4 5RB.

- 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 Tim Clyde against the decision of the London Borough of Hounslow Council.
 - The application Ref 00251/18/P3, dated 29 November 2016, was refused by notice dated 24 January 2017.
 - The development proposed is creation of a basement with a front and rear lightwell to the house and a single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my visit construction of the basement had commenced under the existing planning permission (Ref 00251/18/P2). The appeal has not been withdrawn and therefore it is reasonable to conclude that the appellant would by preference wish to construct the basement and single storey extension in accordance with the proposal now the subject of the appeal. I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - Whether the proposed development would have an adverse impact on the living conditions of present and future occupants of No 19 Chiswick Road in terms of loss of light and outlook and proximity.
 - The effect of the proposed development on the character and appearance of the host dwelling and the surroundings of Chiswick Road.

Reasons

4. The north side of Chiswick Road, where the appeal site is located, is comprised of traditional terraced housing in brick and slate. Although the front of the terrace has the appearance of being 2 storey, many of the properties, including No 18 and its neighbours, have large rear roof extensions providing accommodation in the roof space. None of the other properties in the terrace in the vicinity of No 18 appeared to have basement extensions.

Living Conditions

5. The *National Planning Policy Framework* (the Framework) seeks a high standard of
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design in all development which is not limited simply to the appearance of the development. The Core Principles at paragraph 17 require development to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy CC2 of the *Hounslow Local Plan* (HLP) in seeking to ensure development has a positive impact on the amenity of current and future residents, in particular in respect of providing adequate outlook, minimising overbearingness and overshadowing to proposed and adjacent dwellings, is consistent with the Framework. Specifically in respect of extensions and alterations HLP policy SC7 seeks to minimise any harm to neighbouring residents and future occupants through high quality design. The Council has also published Supplementary Planning Guidance –*Residential Extension Guidelines* (SPG) to ensure such development is appropriate in the context of neighbouring properties amongst other things. The guidance proposes that rear extensions should leave a minimum of 0.3 metres to the side property boundary.

6. The proposed single storey rear extension would replace the existing rear extension to a similar depth but to the full width of the property extending to the plot boundary. In respect of the neighbouring property at No 17 this would not be an issue because that property already has a rear extension on the boundary to a similar depth as proposed. However in respect of No 19 this is not the case. The extension to No 19 although of a similar depth to that proposed is not full width and the house has both French windows on its original rear elevation and a number of side windows, glazed door and glazed brick light panel on the side elevation of its rear extension facing towards No 18. The proposal, in reconstructing the rear extension to the full width of the property, would close the narrow gap previously left. Although the additional width would only be around 0.6 of a metre this difference, given the close juxtaposition of the properties, would be significant for No 19. I note that the flat roofed extension would not be any higher than the existing, but by being closer the sense of enclosure and overbearing relationship to the side and rear windows of No 19 would be worse than the present situation. At the time of my visit (c10.30) there was sunlight reaching the side windows of No 19's extension from the south east. Although the extension to No 18 would extend to the plot boundary, this would be unlikely to result in any significant additional loss of sunlight as it is the higher parts of the houses at No 18 and 19 that have the greater impact on sunlight.
7. My attention was drawn to the fact that there is a boundary fence to a height of about 2.2. metres in place between Nos 18 and 19 which the appellant argues would reduce the impact of the proposed extension. However from my observations, the fence varied in height and was only at the height suggested nearest to the original rear wall of No 19. In any event the proposed extension would still be substantially above the top of the fence and its enclosing and overbearing effect on the rear windows of No 19 and in particular the French window would not be mitigated by the presence of the fence.
8. It has also been put to me that the narrow gap left between the existing extension and the plot boundary simply constitutes a problem for maintenance given its restricted width. However, although the width is limited, it was possible on my visit to walk the length of the extension and it would be perfectly possible to keep the narrow strip of ground between the extension and the fence clear of leaves and vegetation and thus avoid conditions that might result in damp. I am thus not persuaded that this is sufficient reason to rebuild the extension to the boundary and extend the rear basement lightwell to the boundary given the additional adverse, overbearing impact this would have on No 19.

9. I have been referred to the fact that other properties in Chiswick Road have been extended across the full width of the property. Whilst this might be the case it was impossible to assess the impact on neighbouring properties of these extensions on my site visit due to boundary fences and the enclosed nature of the rear gardens. I have therefore determined the appeal case on its own merits and for the reasons above the proposed extensions would have an adverse impact on living conditions for the occupants of No 19 and would conflict with HLP policies CC2 and SC7, the Framework and the guidance in the SPG.

Character and Appearance

10. An existing planning permission is in place for the construction of a basement to the property complete with front and rear lightwells (Ref 00251/18/P2). This would have an impact on the character and appearance of the property and the surroundings of Chiswick Road which the Council deemed to be acceptable against the HLP policies (CC1, CC2 and SC7) at the time it approved the application.
11. The appeal proposal would make no change to the basement extension and lightwell at the front of the property. Although the appeal proposal would involve the basement and rear extension being constructed to the full width of the property and a slight increase in the width of the rear lightwell, the back garden of No 18 is well screened on its boundaries. Any additional impact from the proposals would be minimal and I am therefore satisfied that the effect of the full width extension to the property would not have any significant additional visual impact on either the property itself or the surroundings at the rear of Chiswick Road.
12. Accordingly, I am not persuaded that the proposal would have any additional adverse effect on character and appearance over the already permitted scheme. As such the proposal would not be in conflict with HLP policies CC1, CC2, SC7 and the SPG.

Other Matters

13. I understand that the appellant is seeking to make sustainable and effective use of an existing home and optimise the potential of the site, an objective which is encouraged by the Framework. However the appellant already has the benefit of planning permission for a large basement extension (currently being constructed) (Ref 00251/18/P2). This demonstrates that the appellant's need for additional space can be met in other ways and that no unnecessary burden has been imposed on development. I am not therefore persuaded that the benefit that would be derived from rebuilding the rear extension and constructing the basement to the full width of the property would outweigh the harm to the living conditions for the neighbouring occupants at No 19 that would be caused if I were to allow the appeal.

Conclusion

14. I have considered the matters before me and, notwithstanding my findings in respect of character and appearance and, for the reasons given above, I conclude that the appeal should be dismissed.

P. D. Biggers

INSPECTOR