

Appeal Decisions

Site visits made on 12 June 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 4 July 2017

Appeal A: APP/F5540/D/17/3174438 40 Linkfield Road, Isleworth TW7 6QH

- 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 Peter Zussman against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00702/40/P4, dated 21 December 2016, was refused by notice dated 6 February 2017.
 - The development proposed is described as 'Side Extension, link structure and rear extension. Replacement glazing. All works with no Material negative amenity impact to adjoining owner'.
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Appeal B: APP/F5540/D/17/3174435 40 Linkfield Road, Isleworth TW7 6QH

- 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 Peter Zussman against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00702/40/P3, dated 14 October 2016, was refused by notice dated 6 February 2017.
 - The development proposed is described as 'Side Extension, link structure and rear extension. Replacement glazing. All works with no Material negative amenity impact to adjoining owners.'
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Decisions

1. **Appeal A is allowed** and planning permission is granted for the erection of a single storey side / rear extension and detached outbuilding at the rear garden of the house at 40 Linkfield Road, Isleworth TW7 6QH in accordance with the terms of the application, Ref 00702/40/P4, dated 21 December 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: 001B, 002B, 004B, 020B, 021B, 022B, 030B, 031B, Unnumbered location plan.
 - 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.
 2. **Appeal B is dismissed.**
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Procedural Matters

3. I have used the Council's description of development in my formal decision for Appeal A above, as I consider it to be more accurate and precise than that stated on the application form.

Background and Main Issues

4. The proposals are very similar in form, with both schemes seeking permission for a side and rear extension and a room/building at the end of the rear garden to the property. The only difference lies in the connection of this rear building; in Appeal A it is detached, and in Appeal B is connected by a single storey flat roof linking structure to the other extensions. Both applications were refused for the same reasons, relating to effect on neighbours and the character and appearance of the area and host building.
5. The main issues in both cases is therefore as follows:
 - The effect of the proposals on the character and appearance of the host property and the surrounding area.
 - The effect of the proposed outbuilding on the living conditions of the residents of No 42 Linkfield Road, with regard to a sense of enclosure.

Reasons

6. Linkfield Road is a residential street comprising largely of terraced properties. No 40 lies on the east side of the road and is the end unit in a terrace of 3. On the north side of the property lies a fairly large gap in the streetscene, comprising an open parking area associated with No 26 Linkfield Road. This parking area is set up a ramp and is consequently higher than the ground level of No 40.
7. No 40 is a pitched roof two bedroom two storey house. To the rear flat roofed single storey extensions form a brick kitchen, bathroom and a glazed living space/conservatory. To the rear the property has a fairly small paved rear garden. A metal shed is located at the back of the garden, and the boundaries to the north adjoining the parking area consist of a close boarded fence and low brick boundary wall to front. To the south of the rear garden lies the back garden of the adjoining No 42 Linkfield Road. A large wooden garden room is sited at the back of this property's garden.
8. The proposal seeks to retain the essential form of the existing rear extensions, replacing the existing flat and lean to roof with a flat green roof and replacing the structure of the conservatory, with side extensions removing an existing passageway. The existing close boarded fence on the northern boundary would be replaced with a brick wall and a flat roofed study/home office constructed at the bottom of the garden. As stated above, Appeal B would include a link along the northern side of the garden linking this structure to the main house.
9. When taken cumulatively, the extensions would cover much of the rear area of the plot of the property, leaving little of the rear amenity space which is already fairly limited. The Council state that the proposed extensions would cover almost twice the footprint of the original house, leaving 32% of the rear garden undeveloped in Appeal A and 26% in Appeal B.

10. However, the rear extensions would cover up to roughly the same rear building line of the extensions that already exist, a line which is also approximately developed to the rear of the adjacent No 42. I am not convinced therefore that this element and the side extension attached to it would cause harm. The rebuilding and new roof to the existing rear extension would also have some benefits, and whilst the edges of the proposal would run along the boundaries of the site this would not be out of character with the surrounding area.
11. The proposed home office covers the entire width of the rear garden in both appeals and would have a height of around 2.6m. This would be similar to the ridge height of the adjacent garden room to the rear of No 42. Whilst the structure would be slightly deeper than the garden room it would cover an area currently occupied by the metal shed and by various storage for bins. I also note that the Council consider that this structure when taken alone would be of a position, size and design that would respect the proportions of the main house.
12. Appeal A would maintain the existing character of an extended terraced property with detached outbuildings to the rear, with the extensions remaining secondary to the main house and would therefore I consider, fit with the character and appearance of the area. However, the effect of Appeal B, in providing a not insubstantial link along the entire length of the garden would be significantly different. This would change the character to an extended property with an attached outbuilding, compressing and reducing the rear outside garden to a small, almost incidental space. Whilst not clearly visible from public areas due to the height of the structure I consider that this would not be proportionate to the dimensions of the main house and would cause harm to the character and appearance of the area.
13. I therefore consider that Appeal A would not have an adverse effect on the character and appearance of the host property and the surrounding area. This proposal would comply with policies CC1, CC2 and SC7 of the Local Plan¹ which together state that development should recognise the context and varied character of the borough's places, promote and support high quality urban design and support extensions where they would maintain the character of the area, and are subordinate to the existing dwelling, not overdeveloping the site in terms of mass and respecting the surrounding established context including the size of gardens. Appeal A would also comply with the principles of the Council's Residential Extension Guidelines² (REG) which states that extensions should be secondary to the original house. Conversely, for the reasons given above I consider that Appeal B would have an adverse effect on the character and appearance of the host building and the surrounding area, and would be contrary to the same policies and to the REG.

Living conditions

14. The proposed home office would be some 2.6m high, a similar height to the adjacent garden room at No 42. This would not be substantially higher than the existing close boarded fence which exists between the properties. Furthermore, whilst the depth of the structure would be deeper than the garden room, this would not be significantly so. Due to the positioning and orientation of the proposed room, sunlight would not be significantly affected to

¹ London Borough of Hounslow Local Plan 2015-2030

² London Borough of Hounslow Residential Extension Guidelines, October 2003.

the rear garden of no 42, and nor, due to the size and height of the proposal would daylight.

15. The rear garden of No 42 is already slightly constricted and restrained by virtue of the boundaries on both sides and the existing garden room, and I do not consider that the size, mass, or height of the proposed home study would significantly add to any existing feeling of enclosure to the residents of this property. This would be the case in both proposed schemes, as the proposed link in Appeal B would be sited on the opposite boundary to No 42.
16. The REG states that outbuildings should be set in from boundaries by at least 1m to prevent overshadowing. However, for the reasons given above and the particular circumstances of the appeal site I do not consider that the proposed outbuilding would lead to overshadowing.
17. I therefore conclude that in neither appeal would the proposed outbuilding have an adverse effect on the living conditions of the residents of 42 Linkfield Road, with regard to a sense of enclosure. The proposals in this respect would comply with policies CC1, CC2 and SC7 which in this context state that extensions should not result in harm to the amenity of neighbouring residents, minimising overbearingness.

Conditions

18. For Appeal A I have imposed conditions concerning time for implementation and construction in accordance with the approved plans, to provide certainty. I have also imposed a condition stating that the proposed facing materials of the proposal should match those used on the existing property, in the interests of the character and appearance of the area.

Conclusion

19. I have concluded that in both appeals the proposed outbuilding would not harm the living conditions of the residents of the neighbouring dwelling. For Appeal A, I also concluded that the proposal would not harm the character and appearance of the surrounding area and the host property. However, for Appeal B I have concluded that the proposal would have an adverse effect on the character and appearance of the area and the appeal site.
20. Therefore, for the reasons given above and having regard to all other matters raised, I conclude that Appeal A should be allowed, and that Appeal B should be dismissed.

Jon Hockley

INSPECTOR