The Planning Inspectorate

Appeal Decision

Site visit made on 1 August 2017

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 16th August 2017

Appeal Ref: APP/F5540/D/17/3176833
26 Park Drive, Acton, London W3 8NA

- 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 Dix against the decision of the Council of the London Borough of Hounslow.
- The application Ref 00854/26/P1, dated 14 February 2017, was refused by notice dated 5 May 2017.
- The development proposed is single storey rear infill and side extension.

Decision

1. The appeal is allowed and planning permission is granted for single storey rear infill and side extension at 26 Park Drive, Acton, London W3 8NA in accordance with the terms of the application Ref 00854/26/P1, dated 14 February 2017, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: 599/00 through to 599/12.

   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) No additional windows or other glazed openings shall be formed in the walls of the development hereby permitted and no additional external doors inserted in the building.

   5) The roof area of the rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Preliminary Matter

2. The Council does not object to the proposed single storey rear infill extension and there is no reason to depart from that view. This decision therefore focuses on the proposed single storey side extension.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the Gunnersbury Park Conservation Area.

Reasons

4. As the appeal site is located within a Conservation Area (CA), it is necessary to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA (the statutory duty). The National Planning Policy Framework also sets out that Conservation Areas are designated heritage assets and that great weight should be given to the asset's conservation.

5. The appeal site is situated within the eastern part of the CA which comprises Gunnersbury Park Garden Estate, an example of a 1920's garden suburb. The estate is formally laid out with residential properties that have consistent characteristics including small front and larger back gardens.

6. The appeal property is a two storey end of terrace house which has a pathway to the side that leads to the rear garden. This is also a feature of the neighbouring end of terrace house, No 24 Park Drive. At the ground floor, views of the rear gardens are closed off by a deeply recessed intervening fence which incorporates an access gate for each property.

7. Such enclosure of the rear garden areas, usually by fencing and gates, is a typical feature of the gaps between neighbouring houses within the estate. However, there are four examples in the street where the pathways are now taken up by side extensions. This includes No 25 Park Drive that is located diagonally opposite the appeal site. There is also planning permission for a side extension at No 23 Park Drive which adjoins No 25. There are a large number of other existing side extensions within the wider estate.

8. The developments at Nos 23 and 25 were both allowed at appeal[1]. Whilst the initial development at No 25 pre-dated the Council's Local Plan (2015), both it and the further proposal at No 23 were nevertheless determined in the light of the statutory duty and considered to preserve the character of the CA.

9. It is acknowledged that there is a variation between the respective gaps between Nos 23 and 25 and Nos 24 and 26. Essentially, the former splays out to a small degree from the front to the rear of the houses whilst the latter does the reverse. The gap is therefore wider at the front between Nos 24 and 26. However, the difference is not so great that the proposed extension would appear unusually or excessively wide.

10. Observations of the range of developments within the estate indicate that the balance and rhythm of the terraces are not harmfully disrupted where the side extensions, like the intervening fences and gates, are deeply recessed from the main front wall of the house. In particular, where they significantly exceed the minimum 1m set back for single storey side extensions specified at Section 3.0 of the Council's Residential Extension Guidelines (2003) and continue to reveal the characteristic hallway window in the flank elevation of the respective house. The proposal would accord with those principles.

11. The splayed boundary means that the side of the extension would not run directly parallel with the flank of the house. In this respect it would be contrary to the Guidelines. However, given the set back and the fact the widest part of the extension would face the street, the minor deviation would not appear visually obtrusive or be harmful to the character of the house.

[1] Appeal Refs: APP/F5540/A/05/1196059 (2006) and APP/F5540/D/16/3160697 (2016).

12. The depth of the extension means there would be additional bulk alongside the flank of the original single storey hipped roof rear projection. However, the pitched roof of the extension would change to a predominantly lower flat roof alongside the projection. As it would be subservient in height to the rear projection and reflect the flat roof to the proposed rear infill extension, the additional bulk would not appear over dominant and it would not be harmful to the character of the house.

13. In light of the above, it is concluded that the proposed development would not have an unacceptably harmful effect on the character and appearance of the host property or the CA. It would preserve the character and appearance of the CA. It would therefore not conflict with Policies CC1, CC2, CC4 or SC7 of the Local Plan. Amongst other things, these policies seek to ensure developments complement the original building, harmonise with adjoining properties and maintain the character of the general street scene. They also seek to ensure developments conserve heritage assets.

Conclusion

14. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be allowed and planning permission granted.

Conditions

15. In addition to the standard time limit condition, one that requires the development to be undertaken in accordance with the approved plans is imposed as this provides certainty. A condition which requires the external surfaces to match those of the existing building is imposed to ensure a satisfactory appearance to the development.

16. Two further conditions which prevent the use of the roof of the rear extension as an amenity area and which prevent the insertion of additional windows and doors are imposed to protect the living conditions of neighbouring occupiers and the character and appearance of the area. The wording of the conditions suggested by the Council have been amended to provide clarity and to avoid discretionary phrases.

C J Ford

APPOINTED PERSON