
Appeal Decision

Site visit made on 7 October 2019

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday, 13 November 2019

Appeal Ref: APP/F5540/W/19/3233398

61 Vicarage Farm Road, London TW3 4NH

- 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 Paul Saran against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01151/61/P10, dated 9 April 2019, was refused by notice dated 19 June 2019.
 - The development proposed is to retain existing dormer extension with additional windows to improve massing, amendment to existing flats layout to comply with space standard. Proposed canopy and screen to existing external stair to avoid overlooking.
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Decision

1. The appeal is dismissed.

Procedural Issues

2. The appeal scheme is described on the application form as above and is seeking to retain the dormers which have been constructed and an external metal staircase and proposes to alter the external appearance of those and alterations to a communal area and ground floor flat of which is occupied. Therefore, I am considering this appeal part retrospectively and on the basis of what I have outlined above.
3. As part of the appeal, the appellant has included a plan showing an amendment to the ground floor layout. The Council has had the opportunity to comment on the revised proposals, I do not consider that their interests would be prejudiced if I take this amended plan into account. I shall therefore determine the appeal for planning permission on the basis of the plans referred to on the decision notice, as well as the plan (A100 i5) submitted as part of this appeal.

Main Issues

4. The main issues are (i) the effect of the development on the character and appearance of the area; and (ii) whether the development would cause harm to the living conditions of current and future occupants, in regard to the ground floor flat layout, privacy and communal amenity space.

Reasons

Character and Appearance

5. The appeal site is a detached two-storey building and is occupied at ground floor by a dentist's surgery and a flat with separate access at the rear. There are two flats on the first floor and one within the loft area. The area is predominantly residential consisting of mostly semi-detached and terraced housing immediately to the north is Widmer Court a block of flats. Rosary Close is to the east and due to the height of the appeal site building and position of properties along the close the rear of the site is highly visible when viewed along the street scene.
6. The roof of the property has been extended and large opposing dormers are constructed over the existing rear roof and two storey extension. The dormers are only marginally set in from the sides and are very close to that of the main roof and due to their excessive size occupy most of the roof space, particularly as the dormer over the two storey extension projects further forward. The appellant proposes to break up the appearance of the dormers by adding full height floor to ceiling opaque glazing. I consider this would exacerbate the situation of the poorly designed dormers, which overpower the overall roof form of the property. Their positioning and excessive size on the main rear roof and two storey extension including their heights and depth result in bulky and incongruous additions to the detriment of the character and appearance of the host building and wider area. Furthermore, due to their size and position they would not meet the criteria of the Council's residential extension guidelines Supplementary Planning Document, 2017 (SPD) for roof extensions.
7. The rear of the property has prominent views from along Rosary Close. The dormers are clearly visible along the street scene and when viewed along here they appear as excessively large and dominating overbearing additions to the rear roof of the property. Furthermore, the presence of the dormers is seen as an imposing addition when viewed from those neighbouring properties gardens along Rosary Close to the detriment of the visual qualities and the character and appearance of the immediate and wider street scene.
8. The existing metal staircase serves access to the upper floors of the site and the scheme proposes to include a covering of the stairway with polycarbonate sheets for privacy and utilised as an escape route. These materials would appear stark and the canopy / covering would be at odds with the existing materials on the building and immediate surrounding area. I do not consider that the use of other materials as suggested by the appellant would overcome any concerns I have as the covering in any material would be an alien and odd feature on the rear of the building.
9. The appeal site has various planning history including enforcement and an appeal decision¹ for rear extensions and alterations at the property. In the evidence I have been provided with the rear elevation and roof plans for the appeal decision. Notwithstanding the proposals which have been carried out, I consider this to be a genuine possibility that the scheme could be constructed (fallback) by the appellant. The dormers as shown are as separate entities and of a considerably smaller scale and I consider that the fallback would be significantly less harmful than the appeal scheme which is before me.
10. For the reasons given above I conclude that the development harms the character and appearance of the host building and wider area. It would be contrary to Policies CC1, CC2 and SC7 of the London Borough of Hounslow

¹ APP/F5540/W/18/3214577

Local Plan 2015-2030, adopted 2015 (LP). Taken together these policies aim to promote and support high quality urban design and architecture to create attractive, distinctive and liveable places and require all alterations and additions do not harm the existing character and appearance of the building and its context; complement the existing building and maintain the character of the general street scene. It would also be at odds with the Councils SPD, at section 4.10.

Living Conditions

11. In terms of the ground floor flat, the plan submitted as part of the appeal (A100 i5) shows proposed changes including increases to size of the entrances, corridor, bathroom, windows and this demonstrates that the internal layout of flat would be acceptable. With regards to privacy the window to the side elevation is shown to serve a bathroom which could be conditioned for obscure glazing. The Council are still concerned over the rear bedroom window and its close proximity to the southern side access. However, the plans show that access to flats would be by the northern access side where the existing dental surgery is located and the ground floor flat access also to the front. Although not an ideal situation and there appears to be some disagreement from the Council and the appellant over the size of the access, from observations on my site visit the north access could be used and is clearly visible from the front of the property. Furthermore, it would be unlikely that there would be many people continually accessing the properties throughout the day and night that would cause harm to living conditions of existing occupiers.
12. Policy SC5 of the LP ensures suitable internal and external space and states that communal external space should be provided and requires standards for each flat based on habitable rooms. The Council stipulate that there is a requirement for 150sqm and should exclude the bin and bike store. Whilst the policy requires a suitable quantity and quality of external amenity space, appropriate for relaxation as well as essential activities (such as waste recycling, drying space and storage) is needed, it does not state bin and bike stores should be excluded in the calculation and I have not seen any evidence as how the Council reached this figure based on habitable rooms of the flats. The outside communal area is shown to be 188sqm on the plans, whilst it includes a bin and bike store it has previously been acceptable and the precise design and location of the storage could be agreed by suitably worded conditions.
13. For the reasons given above I conclude that there would be no harm to the living conditions of existing or future occupiers of the ground flat including layout, privacy and that the communal amenity space would be adequate. It complies with Policies CC1, CC2, SC5 and SC6 of the LP, 2015 and London Plan Housing Supplementary Planning Guidance 2016. Which taken together these policies seek to secure development would not be unduly harmful to residential amenity.

Other Matters

14. The appellant has referred to the development being a waste of natural resources involved in any demolition if the scheme were not acceptable and there would be a significant cost which could be only recouped through increasing rents. Whilst this may be the case, I have no substantial evidence

before me to support this and I have therefore given this limited weight in my decision.

15. The appellant refers to the National Planning Policy Framework, 2019 and that it is supportive of positive planning and ensuring that land is viable as a resource and is put to best use. Whilst this may be the case, it is not without caveats, including that developments are sympathetic to local character and not poorly designed.
16. I note the Council's concern regarding further sub-divisions at the property, even if I were to consider that the scheme was acceptable of which I have not. Planning permission would be required. If such development occurred without the necessary planning permission the Council would be able to consider taking enforcement action at that point in time. However, I must deal with the scheme before me.
17. Although there would be some social and economic benefits to providing residential accommodation at the site, including contributing to new housing for different groups and tenure in the borough it would be limited by the quantum of residential accommodation at the site and this does not outweigh the harm I have found in relation to character and appearance.

Conclusion

18. Whilst I have found no harm to the living conditions of existing or future occupiers this does not outweigh the significant harm I have found to the character and appearance of the host building and wider area and for the reasons given above and taking into account all matters raised, I conclude that the appeal should be dismissed.

KA Taylor

INSPECTOR