

Appeal Decision

Site Visit made on 23 November 2020

by Rachel Walmsley MSc, MA, BSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2020

Appeal Ref: APP/F5540/D/20/3256888
198 Wentworth Road, Southall, UB2 5TY

- 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 Numaan Ahmad against the decision of London Borough of Hounslow.
 - The application Ref 01183/198/P3, dated 6 April 2020, was refused by notice dated 2 June 2020.
 - The development proposed is retrospective application to retain the existing conservatory.
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Decision

1. The appeal is dismissed.

Procedural matter

2. At the time of my site visit, the development proposed existed on site. I have based my decision on what I saw on site, together with the submitted plans and details.

Main Issues

3. These are the effect of the proposal on the character and appearance of the host dwelling and surrounding area and on the living conditions of neighbouring occupiers with regard to outlook and light.

Reasons

4. The original dwelling house is modestly proportioned and has been extended with a single storey rear extension. The appeal proposal extends the development to the rear of the house further and beyond the distance recommended in the Council's Supplementary Planning Document (2017) (SPD). Combined with its width, extending across the full width of the plot, the development appears unduly large and overly dominant in relation to the more modest form and scale of the host dwelling. The render matches that on the original dwelling but this does not mitigate the harm identified as a result of the scale of the proposal.
5. Views of the conservatory from outside the site are restricted and therefore the proposal has little effect on the character of its surroundings. However, the form and scale of the proposal would not be sympathetic to or in-keeping with the traditional character and appearance of the host dwelling or with the houses either side. Furthermore, the plastic sheeting does not complement the more robust materials evident on the host dwelling. Policy makes it clear that

character is as much about complementing the wider site context as it is about harmonising with the quality and character of the original building and adjoining properties. It is in this regard that I have found harm.

6. Some properties in the surrounding area have been extended in a similar way, with a conservatory style extension on an existing extension. However, I have no evidence of how these extensions came to be or if they were considered against policy and found to be acceptable. As such, they do not compare fairly or reasonably with the appeal proposal. Notwithstanding this, extensions of this kind are not so numerous and prominent to form a defining feature of the area for the appeal proposal to be considered acceptable.
7. From the living area at No 200 Wentworth Road, views are possible down the garden of this property, from a window that is close to the shared boundary with the appeal property. Given that the appeal proposal extends a notable distance along the shared boundary, it has a presence when viewed from No 200. However, from the living area inside this property, views of the conservatory are at an oblique angle so the development does not appear unduly overbearing. The conservatory has a presence from within the garden of this neighbouring property but the transparency of the plastic sheeting and the size of the garden mean that the conservatory is not unduly overbearing in a way that could be considered harmful to the neighbouring occupier's enjoyment of their garden.
8. From the information before me there is evidence of the living area at No 200 being overshadowed. I have no doubt that towards the latter part of the day, the conservatory would overshadow the neighbouring ground floor living area and garden. However, the neighbouring property benefits from sunlight for much of the day, and therefore the development does not create a dark and gloomy living space that could be considered harmful to living conditions.
9. All in all, whilst I find no material harm to the living conditions of the neighbouring occupiers with regard to outlook and light, there is notable harm to the character and appearance of the host dwelling. The development is therefore contrary to policies CC1, CC2 and SC7 of the Local Plan (2015) and the SPD which seek, amongst other things, extensions that complement the original building.

Other matters

10. It may not have been the appellant's intention to contravene planning requirements. However, this does not alter the fact that planning permission has been sought for the development and is before me for consideration.
11. I have no doubt that the development would create a more functional and spacious family home. However, there is nothing in the evidence before me to suggest that the conservatory is what's needed for the number of people residing at the property. Furthermore, there is no evidence of the development being the optimum solution.

Conclusion

12. For the reasons given above I conclude that the appeal is dismissed.

R Walmsley INSPECTOR