



Appeal Decision

Site visit made on 11 December 2020

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 January 2021

Appeal Ref: APP/F5540/D/20/3259568

2 Braid Court, Lawford Road, Chiswick, London, W4 3HS

- 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 Ahluwalia against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00684/B2/P1 dated 22 April 2020, was refused by notice dated 15 July 2020.
 - The development proposed is single storey rear extension and garage conversion into a habitable space.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal upon the living conditions of occupants of the dwelling, with particular regard to amenity space and outlook, and those of neighbouring occupants, with particular regard to outlook.

Reasons

3. The appeal property is a 3 storey house within a terrace of 6 which runs along Lawford Road from the junction with Sutton Court Road. They are within shallow plots and consequently their rear gardens are much smaller than those of other properties in the street. They back onto the rear garden of a property on Sutton Court Road and are separated from it by an approximately 2 metre high wall, topped with a wooden lattice fence. Close board wooden fences form the boundaries between houses within the terrace.
4. The Council is concerned that the rear extension part of the proposal would reduce the size of the back garden by half, leaving insufficient garden space from which the extension would appear overbearing, and create a sense of enclosure at the neighbouring property. Policy SC5 of the London Borough of Hounslow Local Plan (2015 – 2030) sets a 75 sqm minimum external space requirement for a house with 5 or more habitable rooms. This is described as necessary to provide appropriate space for occupants to relax and to, for instance, provide storage and drying space.
5. The combined area of the front and rear garden would fall well short of this requirement. The proposal would lead to the remaining garden having a depth approximately 3 metres. The Council's Residential Extension Guidelines Supplementary Planning Document (2017) (SPD) advises against substantial

- reductions in garden space, noting that the size of an acceptable extension may be restricted where the property has a small garden. This is the case with the appeal site. The proposed development would not retain an appropriate level of external space necessary to meet the needs of a family home, as described above, or space for children to play as the appellant suggests.
6. Furthermore, in such a restricted space the rear wall of the extension would appear overbearing and, in combination with the existing boundary walls, create a sense of enclosure that would unacceptably harm the living conditions of the dwelling's occupants.
 7. The improvements to the internal living space that would result from the proposed development would not compensate for the loss of outside amenity space. The appellant points to neighbouring properties having conservatories. These are more modestly sized and project into the gardens rather than crossing their full width. This, in combination with their glass walls and roofs, allow them to integrate with their gardens in a way that the proposed development, despite its bi-folding glass doors and rooflights, would not.
 8. 1 Braid Court has a high boundary wall and part of the side wall of the 2 storey house next door extends along its garden boundary. This, along with its rear garden wall and the fence that separates it from the appeal site, already creates a sense of enclosure. Although the proposed extension would be higher than the existing fence, and extend 3 metres along the boundary wall, I do not think it would add significantly to the existing sense of enclosure and would not therefore harm the occupant's living conditions to a degree that would justify refusing the application.
 9. Nevertheless, the harm to the living conditions of the occupants of the host property, in terms of the loss of garden space and resultant overbearing impact and sense of enclosure that I have identified, would not be acceptable. As such, the proposal would conflict with Policies CC1, CC2, SC5, SC7 and of the LP and the SPD which seek high quality design that protects the amenity of occupants and provides adequate useable external space.

Other Matters

10. The appellant has referred to other larger extensions that have reduced the garden space on nearby properties. However, I have come to my own view regarding the development rather than relying on the approach the Council may have taken elsewhere. The appellant has also referred to their permitted development rights as a potential fall-back position. I have no details of an alternative scheme demonstrating that it would be similar to, or more harmful than, the current proposal, or evidence that it would be developed in the event of this appeal being dismissed. As such, it is a matter of negligible weight.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR