
Appeal Decision

Site Visit made on 18 August 2021 by Elizabeth Davies BSc (Hons) MIEMA CEnv

Decision by Martin Seaton BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2021

Appeal Ref: APP/F5540/D/21/3274308

249 Staines Road, Hounslow, TW3 3JJ

- 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 Adam Butterfield against the decision of London Borough of Hounslow.
 - The application Ref 01054/249/P6, dated 13 September 2020, was refused by notice dated 12 February 2021.
 - The development proposed is erection of a roof extension including a dormer window to allow conversion of loft area into an office/storage area above the garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issues in the appeal are:
 - The effect of the development on the character and appearance of the surrounding area; and
 - The effect of the development on the living conditions of the occupiers of neighbouring properties with regard to outlook.

Reasons for the Recommendation

Character and Appearance

5. The garage, which takes up the full width of the property, is located to the rear of No. 249 Staines Road, fronting Wivenhoe Court. 249 Staines Road is part of a short terrace of two storey properties. The properties in the terrace feature a mix of ground floor commercial uses with residential accommodation above, with some properties wholly in residential use. To the north, east and west of the terrace are more modern three and four storey blocks of residential flats which reflect the wider character of Wivenhoe Court.
6. The rear of the terrace properties feature narrow courtyard gardens and either side of the appeal garage there are two similar flat roof garage structures. The gardens and single storey garages provide a relative sense of openness in the context of the surrounding tall residential blocks. The addition of a pitched roof and dormer to the garage would significantly increase the height and massing resulting in a prominent and unacceptably large outbuilding, reducing the sense of openness at first floor level. Whilst the appellant asserts that the roof of the proposed development would only be partially visible from the street and set back from the site boundary, the set back is minimal and would not reduce the visibility of the bulky dormer. Due to the constrained width of the rear gardens and proximity to neighbouring dwellings and the host dwelling, the scale of development would result in an outbuilding with an incongruous appearance. The additional height would be out of keeping with the scale of the dwellings that form the terrace and other garage structures. The use of matching materials and similar sized openings in the proposal would not address the more fundamental issues of scale and design.
7. I therefore conclude that, for the above reasons, the proposed development would have a harmful effect on the character and appearance of the area and would be contrary to Policy CC1, CC2 and SC7 of the London Borough of Hounslow Local Plan (2015-2030) (the 'Local Plan') which seek, amongst other things to ensure development responds and maintains an areas character and complements the area through good design. Policy SC7 also seeks to ensure that over development does not occur in terms of mass and density.
8. At 4.85m in height, the proposed roof extension also conflicts with the guidelines set out in the London Borough of Hounslow Residential Extension Guidelines Supplementary Planning Document A Guide for Householders (adopted 20th December 2017) (the 'SPD'), which sets out that the maximum height for outbuildings with a pitched roof is 4m. The SPD also seeks to ensure that where an outbuilding is located within one metre of the boundary of a property, as is the case with the proposal, steps should be made to reduce its height to minimise impact. I concur with the Council that the design of the proposal does not reflect this requirement.

Living Conditions

9. The additional scale and height of the proposal would be considerably greater than the existing garage. Whilst the appellant states that there is separation from the extension to the neighbouring properties, it appears the existing garage is built up to the boundary with No. 251 and 247 Staines Road and

there is no set back proposed. The proposal would be higher than the existing garage, boundary wall and fencing and so these features would not provide screening. Whilst I am satisfied that no overlooking would occur, given the narrow width of the terrace properties and lack of any set back, the development would be imposing and the outlook from neighbouring properties would be dominated by the proposed roof extension.

10. Whilst I agree with the appellant that given the orientation of the garage it is unlikely to impede the amount of sunlight received by neighbouring properties, the scale and proximity of the development would have an oppressive impact, that would cause unacceptable harm to the outlook of the occupants of the neighbouring properties.
11. I note the appellants point that the proposal would increase privacy for the appeal property from the flats on Wivenhoe Court. However, given the relatively large separation distance from the appeal site to the flats, I do not consider overlooking to be a significant issue and this consideration does not lend any positive weight to the development.
12. I therefore conclude that the proposal would be harmful to the living conditions of the occupants of the neighbouring properties contrary to Policy SC7 of the Local Plan. Policy SC7 seeks to ensure development maintains the character of an area and the amenity of private spaces (including rear gardens) and minimise harm to neighbouring residents from loss of outlook or by creating an unacceptable sense of enclosure.

Other Matters

13. In support of the appeal, the appellant has referred me to 21 Lampton Park Road and 3 Chaucer Avenue as examples of similar developments. Whilst I have not been provided with any further details of these developments, they are located some distance from the appeal site and it is clear that these sites have different characteristics, for example the properties are more spacious. The circumstances are not directly comparable with those which apply in this appeal. I have not therefore attached any significant weight to them in support of the development.
14. The appellant's wish to improve their living environment and better utilise the garden are understood and I note the occupants of the immediate neighbouring properties have not objected to the proposal. I also recognise that the proposed development would not impact vehicle access and parking, transport links, refuse and trees and would incorporate sustainable design features. However, these considerations do not outweigh the concerns which I have identified above.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

E Davies

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR