



Appeal Decision

Site Visit made on 20 September 2021

by Mark Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2021

Appeal Ref: APP/F5540/D/21/3266653

5 Somerset Road, Brentford TW8 8BX

- 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 Michael Higgs against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01025/5/P1, dated 9 September 2020, was refused by notice dated 19 November 2020.
 - The development proposed is conversion of roof space into habitable room, incorporating a rear terrace within the roof slope and one roof window at the side of the house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the appeal form which is the same as that used on the Council's decision notice since the description shown on the planning application form does not identify all elements of the development to which the appeal relates. My use of this description does not fundamentally alter the appeal scheme nor prejudice the case of each party in relation to it. I have therefore proceeded on this basis.
3. On 20 July 2021, a revised version of the National Planning Policy Framework (the Framework) was published. The revised Framework does not materially alter the national policy approach in respect of the issues raised in this appeal. Since their cases would not be prejudiced, I have not consulted the main parties on the revised Framework. I have referred to the revised Framework in my findings below.

Main Issues

4. The main issues are the effect of the development proposed on the character and appearance of the St Paul's Brentford Conservation Area, and the effect it would have on the living conditions of the neighbouring occupiers of 3 and 7 Somerset Road, with particular regard to privacy.

Reasons

Character and Appearance

5. The appeal site is located within the St Paul's Brentford Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

6. The appeal site comprises a two storey semi-detached dwelling located on Somerset Road, which is a predominantly residential road with a mixture of mainly two and three storey semi-detached and terraced properties. The significance of this part of the CA derives partly from the semi-detached dwellings of good architectural quality, of which the appeal property is an example, comprising attractive bay windows, some with front entrance canopies, and well-ordered roofscape, including hipped roofs and front gables features. Properties are generally set back from the road behind low stone walls or fences and planting.
7. There is a strong sense of symmetry between the pairs of semi-detached properties which positively contributes to the character of the street scene. The rear roof slope of the semi-detached pair and those on either side of the appeal site are largely unaltered and display strong uniformity of design. The attached neighbouring property, No 7 has a small roof light to the rear roof slope which has little effect on the roofscape. Nos 1 and 3 have rear dormers, though these display a high degree of symmetry. One of the guiding principles set out in the St Paul's Brentford Conservation Area Character Appraisal is the sympathetic treatment of rooflines and roof features, to retain the authenticity of architectural features.
8. Although the proposed roof terrace would not project beyond the rear roof plane, the way that it would cut into and occupy a large part of the rear roof slope would be a significant alteration to the roof of the property. It would not relate well to the host building and would not respect the simple form of the rear roof slope. The symmetry of the rear roof slope of the appeal property and No. 7 would be disrupted which would be harmful to the character of the semi-detached pair.
9. I accept that the affected roof slope would be to the rear of the building, but the development would still be a very noticeable and discordant feature when viewed from the rear garden of the appeal property and surrounding rear gardens.
10. The appellant has referred to examples of elevated terraces nearby at 9 Somerset Road and at Cedar Court. However, from what I observed during my site visit, those terraces are located at lower levels and do not disrupt the main roof of these properties to the extent that the appeal proposal would. Consequently, they are not comparable to the appeal proposal. As a result, whilst having due regard to the other examples as a material consideration in determining this appeal, I have assessed the appeal scheme on its own merits in accordance with the requirements of the current development plan and the other examples do not justify the harm I have found.
11. To conclude, the proposal would fail to preserve or enhance the character and appearance of the CA and would be harmful to it. The proposal would therefore conflict with Policies CC1, CC2, CC4 and SC7 of the London Borough of Hounslow Local Plan 2015-2030 (the Local Plan), which, amongst other things, seek to achieve high design standards which respond to the wider context and conserve the character of conservation areas. The proposal would also be contrary to the Council's Residential Extension Guidelines Supplementary Planning Document (SPD), which states that any new development in conservation areas must preserve and/or enhance the special character and appearance of the area.
12. Paragraph 202 of the Framework states that where a development proposal would lead to less than substantial harm to the significance of a designated

heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use. The proposed extension would have less than substantial harm to the significance of the CA. I acknowledge that the proposal would maximise the available residential floorspace within the property for the benefit of the occupants. However, there is no evidence before me to indicate that there would be any public benefit that would outweigh the harm that I have identified.

13. I therefore conclude that the proposal would fail to comply with national policy outlined in the Framework, which seeks to sustain the significance of heritage assets.

Living Conditions

14. The appeal site shares side boundaries with No 3 to the north-east and No 7 to the south-west. The proposed terrace would allow views over a large part of these neighbours' rear gardens. Such views would be from an elevated position and at close proximity. The proposal would therefore result in a loss of privacy to the rear garden of No 7, and No 3 to a lesser extent.
15. During my site visit I observed that views of the neighbours' rear gardens are possible from the rear bedroom windows of the appeal property. The appellant also argues that the proposal would not result in any more overlooking than a rear dormer extension that could be constructed under permitted development rights. However, the appeal proposal would provide a useable outdoor area which would enable occupants to sit out, particularly during warm, dry weather, and possibly for prolonged periods of time. The overlooking that would therefore result from the roof terrace would be more intrusive than from the existing bedroom windows or a rear dormer extension. The rooflight in the rear roof slope of No 7 is a much smaller feature than the appeal proposal and does not result in loss of privacy to the extent that the proposal would.
16. I therefore conclude that the appeal scheme would be harmful to the living conditions of the neighbouring occupiers of 3 and 7 Somerset Road, with particular regard to privacy. Consequently, it would conflict with Policies CC2 and SC7 of the Local Plan which, amongst other things, seek to ensure that development would not adversely affect the amenity of neighbouring occupiers. In addition, the proposal would fail to accord with the SPD, which states that the Council will normally refuse terraces because they can lead to loss of privacy.

Conclusion

17. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be dismissed.

Mark Ollerenshaw

INSPECTOR