

Appeal Decision

Site visit made on 29 December 2021

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2022

Appeal Ref: APP/F5540/D/21/3280075
20 Alexandra Gardens, Hounslow TW3 4HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Kavi Johal against the decision of the Council of the London Borough of Hounslow.
 - The application ref. 00024/20/P5, dated 8 June 2021, was refused by notice dated 16 July 2021.
 - The application sought planning permission for "Erection of a part single, part-two (sic) storey side and rear extension, rear roof extension and front porch" without complying with a condition attached to planning permission ref. 00024/20/P4, dated 12 May 2021.
 - The condition in dispute is No. 2 which states that: **"The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted (Unnumbered Site Location Plan received 18 March 2021; A101 + A201, A102 + A202, A103 - A203, A104 + A204, A105 + A205, A106 + A206, A107 + A207, 108 + A208 (sic), A109 + A209, A110 + A210 received 11 May 2021) therewith and approved by the Local Planning Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority before the building is used."**
 - The reason given for the condition is: "To ensure the development is carried out in accordance with the planning permission."
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part single, part 2-storey side and rear extension, rear roof extension and front porch at 20 Alexandra Gardens, Hounslow TW3 4HT in accordance with the application ref. 00024/20/P5 dated 8 June 2021, without compliance with condition No. 2 previously imposed on planning permission ref. 00024/20/P4 dated 12 May 2021 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with Draft No: 3 for each of the following approved drawing nos: A101 + A201; A102 + A202; A103 - A203; A104 + A204; A105 + A205; A106 + A206; A107 + A207; A108 + A208; A109 + A209; and A110 + A210.
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- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The first floor window to the family bathroom to be formed in the south-western side elevation (annotated as "East" elevation on Draft No: 3 of drawing No. A109 + A209) and the first floor window to the en suite to be formed in the north-eastern side elevation (annotated as "West" elevation on Draft No: 3 of drawing No. A110 + A210) shall be obscure glazed and hinged to open inwards and shall not be repaired or replaced otherwise than with obscured glazing.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no windows, doors or other glazed openings (other than those shown on the approved plans) shall be formed in the flank walls of the dwelling as enlarged, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.
- 6) The roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Matter of clarification, background and main issue

2. As will be noted by the parties when reading condition 4 above, the 2 relevant side elevation drawings are incorrectly annotated "East" and "West". The plans are otherwise accurate and can still be properly and reasonably interpreted.
3. Planning permission has been granted for various extensions and alterations to the appeal property, some of which, as I saw at my site visit, are in the process of being carried out. That original planning permission will continue to exist whatever the outcome of this appeal. This appeal seeks permission to carry out the development without complying with condition 2. This requires the development to follow the approved plans. The appellant would like to increase the size of the habitable floor space by having a larger ground floor side extension in the form of a fully-glazed, flat-roofed conservatory. The intention is for the submitted plans to be followed instead of those previously approved. Various changes to the fenestration are also shown on those new plans but the Council accepts, as I do, that these would be inconsequential.
4. The main issue is the impact of the proposed single-storey side conservatory, when combined with the previously approved extensions, upon the character and appearance of the host property.

Reasons

5. No. 20 is a 2-storey semi-detached house tucked away in one of the corners at the closed end of Alexandra Gardens. As well as its distinctive hipped roof, the original front elevation of the property has a 2-storey advanced bay under a projecting half-timbered gable. Until recently and at the time of the original planning permission in May 2021, there was also a 2-storey flat-roofed side extension. The approved scheme, amongst other things, sought to replace this extension with a 2-storey hipped side wing. This new side wing was substantially complete on the day of my visit.

6. The Council is concerned that the ground floor side conservatory when combined with the previously approved extensions would be of a scale that would dominate the host property.
7. The Council refers to its Residential Extension Guidelines Supplementary Planning Document 2017 (SPD). This includes guidelines on proportion for single-storey side extensions. Their height and width should be proportionate and subordinate to the dimensions of the main house, their roof height should be below the eaves level of the first floor and their width should be significantly less than that of the main house. Policy SC7 of the Hounslow Local Plan 2015-2030 (LP) directly addresses residential extensions and alterations and expects extensions to "*Complement the original building...*" and "*...be subordinate to the existing building...*".
8. The 2-storey side extension approved in May 2021 and now substantially complete is wider than half the width of the original property but is no greater in width than the former 2-storey flat-roofed side extension. That latter extension was an integral, albeit visually unsatisfactory, part of the building as it existed in May 2021 just as the approved 2-storey side extension now forms an integral part of the existing building.
9. The proposed conservatory would add an extra 4 m in width to the rear half of the property only. Its width would be significantly less than that of the existing main house. It would not be viewed in the same plane as the adjoining approved 2-storey side extension because it would be set back about 5 m from its front elevation and reach a height of only 2.65 m. Its fully-glazed lightweight design would further limit its visual impact. Given the limited scale and size of the proposed conservatory, its positioning towards the rear, its design and materials, and the location and angled alignment of the property, the conservatory is unlikely to be seen from the public road. The conservatory would offer a visually appropriate solution, exhibit a high standard of design, and be sufficiently subordinate to the existing building.
10. Although a previous permission to extend the house was granted, I am aware that it does not automatically follow that a series of further extensions could be built without there being at some point a cumulative adverse impact on the character and appearance of the original house. However, that point would not be reached if this appeal was allowed. The scale and bulk of the proposed conservatory, when considered cumulatively with the earlier approved additions, would not be sufficient to dominate the original dwelling. Put another way, the cumulative effect of this proposal and the earlier extensions would not be to subsume the original dwelling into the various additions. Rather, they would complement the original building. The original hipped roof and 2-storey advanced bay under a projecting half-timbered gable would remain dominant, the approved 2-storey hipped side wing would be a very well-designed and proportionate replacement for the unfortunate 2-storey flat-roofed side extension and the proposed conservatory would be a rather innocuous glazed appendage which would appear secondary in size and appearance whether viewed individually or cumulatively with the previously approved extensions.
11. I therefore conclude on the main issue that the proposed single-storey side conservatory, when combined with the previously approved extensions, would not result in harm to the character and appearance of the host property. As the

development would be an example of high-quality design and would safeguard and enhance the qualities and character of this built environment and involve the acceptable extension and alteration of a residential property, there would be no conflict with the aims of LP Policies CC1, CC2 and SC7.

12. The scheme would respect the intent of the SPD and the key design themes in the National Planning Policy Framework insofar as they relate to achieving well-designed places.
13. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings is necessary as this provides certainty. I have also imposed a condition requiring matching materials to ensure that the development would safeguard the character and appearance of the area. In the interests of privacy, it is also necessary to impose the Council's other 3 suggested conditions, which seem to have been lifted from the previous planning permission, controlling windows and doors and restricting the future use of any roof area of the extension. I have however made minor adjustments to them so that they more closely follow the actual scheme being permitted, are more precise, account for an additional first floor side window to an en suite, cover the identified discrepancies in the plans and do not seek to restrict the possible insertion of additional doors inside the building. None of the conditions should come as a surprise to the parties.
14. For the reasons given above and having regard to all other matters raised and the absence of objections from local residents, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR