



Appeal Decision

Site visit made on 15 February 2022

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2022

Appeal Ref: APP/F5540/W/21/3269993

39 & 41 Shelley Crescent, Hounslow, TW5 9BG

- 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 Ragbir Singh Chopra & Mr Baldev Singh against the decision of London Borough of Hounslow.
 - The application Ref 01010/39-41/P1, dated 18 November 2020, was refused by notice dated 8 February 2021.
 - The development proposed is described as retrospective planning application for retention of second single storey rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for retrospective planning application for retention of second single storey rear extensions at 39 & 41 Shelley Crescent, Hounslow, TW5 9BG in accordance with the terms of the application, Ref 01010/39-41/P1, dated 18 November 2020, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: MD/4001 - 01.1/NM, MD/4001 - 02.1/NM, MD/4001 - 03.1/LB, MD/4001 - 04.1/NM, MD/4001 - 05.1/LB, Planning Statement (No. 39) & Planning Statement (No. 41).

Preliminary Matter

2. At the time of my site visit the proposed development had been constructed. Whilst the development generally appeared to have been constructed in accordance with the plans before me, for the avoidance of doubt, I have determined this appeal on the basis of the submitted plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Nos 39 and 41 Shelley Crescent, the appeal properties, are a pair of semi-detached dwellings located on a residential street. Both properties have similar, single-storey, rear projections which house kitchen areas.
5. The proposal is for additional single storey rear extensions to both properties; the property at No 41 proposes a rear flat-roofed extension and at No 39 the proposal is for a semi-enclosed canopy roof extension.

6. The proposal would, indeed, lead to large, deep projections. However, the rear gardens of both properties are reasonably long and capable of accommodating extensions such as those proposed without appearing unduly cramped or incongruous.
7. Other circumstances on site are also such that the impact of the extensions would be minimised. The neighbouring property at No 37 has a large rear projection. The proposed extension at No 39 sits broadly in line with this projection and the extension at No 41 follows this building line. Furthermore, the neighbouring property at No 43 has a large garage to the rear which runs along the boundary with No 41 sitting forward of, and terminating after, the extension at No 41.
8. Consequently, in my view, the single-storey nature of the proposal is such that, when viewed in the context of the buildings on site and their surroundings, they do not appear overly large or visually dominant and sit comfortably within their context. I note the Council's concern that the proposal has resulted in excessively deep and large combined developments. However, though the two extensions for one appeal proposal, the additions at each property are clearly visually separate developments which do not appear as one amalgamated structure but rather each forms the context for the other.
9. The proposal would therefore accord with Policies CC1 and CC2 of the London Borough of Hounslow Local Plan 2015 – 2030 (LP). Amongst other things these policies seek to promote a high quality urban design and ensure that all new development conserves and takes opportunities to enhance the borough's places. The proposal would also meet the expectations set out by Policy SC7 of the LP which supports the extension of residential properties provided they maintain the character of the area.
10. I note that the extensions would exceed the maximum depth of 3.65 metres recommended by the London Borough of Hounslow's Residential Extensions Guidelines. However, this is guidance and in my view, the underlying aims would nevertheless be met.

Conditions

11. In the interests of precision and clarity I have undertaken some minor editing and rationalisation of the conditions proposed by the Council. The Council suggested the inclusion of the standard time limit condition, however, as the development has already begun this condition is unnecessary. I have imposed a condition specifying the relevant plans as this provides certainty.
12. The Council suggested a condition stating that no additional windows or other glazed openings shall be formed in the walls of the extension hereby approved and no additional doors inserted in the building without the prior written consent of the Local Planning Authority. However, on the basis of the evidence before me I am not satisfied that this condition would be reasonable or necessary and, as such, I have not imposed it. Similarly, the Council have suggested a condition which would remove some permitted development (PD) rights. The National Planning Policy Framework states that planning conditions should not be used to restrict national PD rights unless there is clear justification to do so. In this instance I am not convinced based on the evidence with which I have been provided that such justification exists and I have thus not imposed this condition.

Conclusion

13. For the reasons given above and considering all other matters raised I conclude that the appeal is allowed.

L J O'Brien

INSPECTOR