

Appeal Decision

Site visit made on 7 November 2022

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th December 2022

Appeal Ref. APP/F5540/D/22/3292220 26 Harewood Road, Isleworth TW7 5HB

- 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 Wojciech Kulis against the decision of the Council of the London Borough of Hounslow.
 - The application ref. 00556/26/P4, dated 14 September 2021, was refused by notice dated 13 December 2021.
 - The development proposed is described on the application form as "*First floor side extension, part single and part two storey rear extension, rear dormer extension, installation of roof lights and associated works (development already carried out).*"
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Decision

1. The appeal is allowed, and planning permission is granted for first floor side extension, part single and part 2-storey rear extension, rear dormer extension, installation of roof lights and associated works (development already carried out) at 26 Harewood Road, Isleworth TW7 5HB in accordance with the terms of the application ref. 00556/26/P4, dated 14 September 2021, and the plans numbered APL 001; APL 002; APL 003; APL 004; APL 005; APL 006; APL 007; APL 050; APL 051; APL 052; APL 053; APL 054; APL 055; APL 056; and Fire safety note, subject to the following condition:
 - 1) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no windows or other openings shall be formed in the side elevations 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.

Main issue

2. The main issue is the effect of the development upon the appearance of the property and the wider area.

Reasons

3. Paired with no. 28, the appeal property is a semi-detached, 2-storey house situated on the eastern side of Harewood Road. The surrounding residential
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area is characterized by similar property types, many of which have been extended to the side and at roof level to the rear.

4. The Council's only objection to the submitted scheme of works, which has been substantively completed, relates to the flat-roofed, rear dormer extension. Indeed, planning permission was granted in 2020 under ref. 00556/26/P3 for the *Erection of a part first floor side and part single part two storey rear extension to the house*, all to substantially the same design, appearance and size as that shown in the appeal scheme.
5. The Council's decision on the appeal scheme said that the proposal, due to its excessive scale and inappropriate design, would dominate the roof face of the property, causing harm to the appearance of the property and wider area.
6. The Council's Residential Extension Guidelines Supplementary Planning Document 2017 (SPD) is a material consideration but it is only guidance and it should not be applied to each and every property prescriptively to the exclusion of all other factors, including the physical circumstances and context of a site. The SPD says, amongst other things, that roof extensions that would be as wide as the house and create the appearance of a large box will normally be refused. On small semi-detached houses, like no. 26 in my view, the SPD expects a rear dormer to be set at least 0.5 m from the eaves and sides of the roof and to be at least 0.3 m below ridge level.
7. The rear of no. 26 looks out towards the centre of the rectangular-shaped, wider rear garden environment created by the perimeter block layout of houses around Northumberland Avenue, Campion Road, Parkwood Road and Harewood Road. This assists the appellant's case since the rear dormer has taken a position where it is not readily visible from public vantage points. Only a glimpse of a very tiny part of the dormer's flank can be gained from Harewood Road. In any event, I consider that observers are more likely to see and appreciate how the first floor side extension has restored the symmetry between nos 26 and 28 when viewing across their front elevations from Harewood Road. This positive change is a very important consideration as judgements about the outward visual qualities of a development and sense of place should start from an assessment from the public realm.
8. The dormer would be seen from the rear of several properties in this locality. Both horizontally and vertically, it covers a significant proportion of the original rear roof slope but it does not extend over the rear roof slope of the first floor side extension, which is now perceived to be part of the building's rear roof, especially as the eaves of that structure align with those on the original house.
9. The Council's assessment (in its householder report) that "*The proposed roof dormer is as wide as the existing roof face and is not set in above the eaves, below the ridge or from neighbouring boundaries*" is not entirely correct. It does not exceed the main ridge height and it is set up from the eaves such that the dormer does not present itself as a continuation of the main wall face below. It would be next to the edge of the roof on one side but it would be set in a considerable distance from the other side, as now marked by the roof over the first floor side extension which goes across to the boundary with no. 24. As the rear roof extension is not as wide as the existing house and is set up from the eaves, its size and scale would not be unduly disproportionate and it does

- not create the appearance of a large box. Moreover, part of the rear dormer is obscured by the roof over the 2-storey rear extension. Whilst the dormer may not fully accord with the guidance in the SPD, it pays sufficient regard to it.
10. The SPD goes on to advise that the Council will normally accept a flat roof for a rear dormer. The windows in the rear of the dormer are a reasonable match for those on the existing rear elevation. The rendered finish to the walls of the dormer matches the wall finish to the main building below. The design for the dormer is not therefore objectionable.
 11. I consider that the rear dormer is not out keeping with the form and scale of the host property and it does not amount to an incongruous addition that dominates the rear roof slope. The rear dormer is sufficiently respectful of and complementary to the building's character and appearance, the local character and the general area. As I observed on my site visit and as shown in the appellant's written statement, large rear dormers are now fairly commonplace in the surrounding area, particularly along Harewood Road and Campion Road. For instance, 5 sizeable rear dormers can be observed at the rear of the houses in Campion Road, when standing in the rear garden of the appeal property. The appeal dormer would simply reflect the wider established character of the area and add to the mix of rear dormer developments.
 12. The appellant refers to 2 unsuccessful attempts to obtain a lawful development certificate for development involving the rear roof extension. The appellant's approach to the assessment of cubic content seems to have been confirmed in the appeal decision in Frodsham submitted at Appendix 1 of the appellant's written statement. The exercise of permitted development rights is a material planning consideration and the absence of a certificate is not determinative of itself. Had the appellant's case solely hinged on the potential fallback through permitted development rights, I may well have invited further written submissions from the parties in order to be able to attribute the correct weight to such a fallback. However, I have found the development to be acceptable on its other planning merits, so any further assessment of a potential fallback in this regard would serve little purpose.
 13. Viewed as a whole, as the development delivers high-quality design, safeguards and enhances the qualities and character of this built environment and involves the acceptable extension and alteration of a residential property that pays sufficient regard to the Council's relevant design guidance, there would be no material conflict with the aims of Policies CC1, CC2 and SC7 of the Hounslow Local Plan 2015-2030.
 14. I therefore find on the main issue that the development does not cause any material harm to the appearance of the property or the wider area. This finding is decisive to the outcome of this appeal. There is no material conflict with the development plan.
 15. The Council, correctly in my view, did not identify an excessive loss of amenity for neighbouring properties for any reason.
 16. Given that the development has already been carried out in an acceptable manner in appropriate materials, it is not necessary for the standard conditions setting a time limit for the commencement of development, requiring the development to be carried out in accordance with the submitted drawings and

ensuring the use of matching materials. I shall still refer to the submitted drawings in the main body of the decision. In the interests of privacy, it is, however, necessary to impose the Council's fourth suggested condition which would prevent the future insertion of flank windows.

17. For the reasons given above and having regard to all other matters raised and the absence of objections from local residents and organisations, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR