

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/22/3303520

4 Benedict Drive, Feltham TW14 8JL

- 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 S Chopra against the decision of the Council of the London Borough of Hounslow.
 - The application ref. 00109/4/P3, dated 12 May 2022, was refused by notice dated 11 July 2022.
 - The development proposed is described on the application form as "*Part two part single storey side extension and a single storey rear extension*".
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effects of the proposed development upon the character and appearance of the dwelling and its surroundings and upon the living conditions of the neighbouring occupiers with regard to the potential for any overbearing effects on outlook and any loss of privacy.

Reasons

3. The appeal concerns a 2-storey semi-detached house in a residential area of similar property types. Located on the outside of an appreciable bend in Benedict Drive, close to the junction with Hatton Road, it occupies a plot that is significantly wider on the rear boundary than it is on the front boundary. There is a detached single garage in the side yard of the appeal property but it does not abut the garden buildings at 6 Benedict Drive, on the other side of the angled boundary line, as the submitted plans appear to suggest.
 4. The rear garden of the appeal property runs up to or very close to the rear gardens of 52-56 Hatton Road. Consequently, the rear elevation of the appeal property is prominent in views from those rear gardens and the rear-facing windows of those nearby houses. It is also very noticeable from Hatton Road itself and when viewing across from the open back garden of 2 Benedict Drive.
 5. There is an extant planning permission (ref. 00109/4/P2) for a similar extension scheme at 4 Benedict Drive to the one proposed in this appeal,
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except the ground floor element of the extension in the approved scheme would be smaller, run parallel to the original side of the house and be set in from the angled common boundary with no. 6. The proposed extension scheme, on the other hand, seeks to respond to and build along the angled side boundary and increase the ground floor habitable floor space by maximizing the footprint of the combined side and rear extension.

6. In contrast to the approved scheme, the proposed chamfered extension would be wider than the width of the main house when measuring across from the line of the existing rear elevation. Where the combined rear/side extension comes to a point next to the boundary with no. 6, it would be wider still again. This extension would fail to respect the established character and shape of the host dwelling, whilst its overall size would overwhelm the original rear and side elevations. Despite the use of matching materials, the sprawling extent of the ground floor extensions would result in an inharmonious addition to the building. Whilst the front of the 2-storey side extension would visually guard the wider aspect to the rear as viewed from Benedict Drive, the adverse visual effects I have identified would be readily apparent from the public and private vantage points I referred to in paragraph 4 above.
7. I saw nothing remotely similar to the extension proposed at any neighbouring properties. It would be uncharacteristic of the fairly uniform estate design hereabouts. It would have a far greater disruptive visual effect upon the host property and its surroundings when compared to the existing garage or to the extant planning permission.
8. The proposed development would not represent a visually attractive solution that would add to the overall quality of the area. It would not be sufficiently subservient or complementary to the original building and would detract from the area's local character. In any assessment of the planning merits of a proposal, the Council's Residential Extension Guidelines Supplementary Planning Document 2017 (SPD) should not be applied prescriptively to the exclusion of all other factors, including the physical circumstances and context of a site. Still, that the proposal disregards its design guidance by a wide margin confirms my findings on this issue in the particular circumstances of this case. The SPD explains that it is very important that single storey side extensions accurately reflect the design of the main house and remain secondary in size and appearance. The height and width of such extensions should be proportionate and subordinate to the dimensions of the main house, with their width being significantly less than that of the main house. In addition, the side wall of the extension should be parallel to the original house and, where the boundary is at an angle to the house, the side wall should not follow the boundary line.
9. I find on the **first main issue** that the proposed development would harm the character and appearance of the dwelling and its surroundings. As the development would not be an example of high-quality design and would neither safeguard and enhance the qualities and character of this built environment nor involve the acceptable extension and alteration of a residential property given how far the scheme would depart from the Council's relevant design guidance, there would be conflict with the aims of Policies CC1, CC2 and SC7 of the Hounslow Local Plan 2015-2030 (LP). There would not be compliance with the

key design themes in the National Planning Policy Framework (the Framework) insofar as they relate to achieving well-designed places.

10. Turning to the second main issue, the amenities of the 2 neighbouring properties on Benedict Drive need to be considered.
11. The SPD sets a maximum depth for single storey rear extensions to semi-detached houses of 3.65 m so as to avoid, amongst other things, unacceptable enclosure to neighbouring properties. The appeal scheme would meet that requirement on the boundary with 2 Benedict Drive. I consider therefore that the neighbours there would not experience any undue overbearing effects or any material diminution of outlook when viewing out of their patio doors close to the common boundary. They would no doubt see the wide sprawling extent of the rear/side extension when standing in their rear garden. Whilst it would appear visually out of scale and context with the host dwelling, I am not convinced that this, in itself, would create overbearing conditions for no. 2.
12. Given the bend in the road and the layout of the dwellings, no. 6 is turned away from the plot at no. 4 and has its own intervening structures close to the common boundary and the proposed side/rear extension. I could not identify any potentially harmful overbearing effects on these neighbours. Their concerns about land ownership matters would be properly dealt with under legislation on private legal rights.
13. There would be no windows in the sides of the proposed extensions on the appeal site. That being the case, I do not find that there would be a loss of privacy at either of the neighbouring houses.
14. I find on the **second main issue** that the proposed development would not materially harm the living conditions of the neighbouring occupiers with regard to the potential for overbearing effects on outlook and loss of privacy. There would be no material conflict with LP Policies CC2 and SC7 in this regard which, amongst other things, require development proposals to avoid harming the amenity of neighbouring residents. This aim is consistent with similar aims found within the Framework and the SPD.
15. My finding on the first main issue is decisive to the outcome of this appeal. There is conflict with the development plan. The harm arising from that main issue cannot be mitigated by the imposition of planning conditions and it is not outweighed by my finding on the second main issue or by other material considerations. For the reasons given above and taking into account all other matters raised, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR