



Appeal Decision

Site visit made on 8 November 2022

by A Veevers BA(Hons) PGDip (BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th December 2022

Appeal Ref: APP/F5540/W/22/3301651
41-42 Clitherow Road, Brentford TW8 9JT

- 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 C Rock, Rock Residential, against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00285/41-42/P5, dated 23 February 2022, was refused by notice dated 20 April 2022.
 - The development proposed is described as “conversion of loft to create additional dwelling; external alterations”.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of loft to create additional dwelling; external alterations at 41-42 Clitherow Road, Brentford TW8 9JT in accordance with the terms of the application, Ref 00285/41-42/P5, dated 23 February 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan; Dwg No:01 Existing & Proposed Loft Floor Plans; Dwg No:02 Existing/Proposed Elevations Dwg No:03 Existing/Proposed Elevations; Dwg No:04 Existing Front Elevation; Dwg No:05 Proposed Front Elevation; Dwg No:06 Proposed Section; Dwg No:07 Lower Ground Floor Site Plan and Dwg No:08 Upper Ground Floor Site Plan.
 - 3) The materials to be used in the construction of the external surfaces of the alterations to the residential building hereby approved shall match those used in the existing building.
 - 4) The dwelling hereby permitted shall not be occupied until:
 - a) The local planning authority has been notified in writing of the full postal address of the dwelling; and,
 - b) The Traffic Regulation Order has been amended by removing the dwelling from the list of dwellings for which Residents Parking Permits can be issued.

Preliminary Matters

2. I have taken the description of development from the application form. Although different to that on the decision notice, no confirmation that a change was agreed has been provided.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and,
 - Whether the proposal would provide acceptable living conditions for the future occupants of the proposed dwelling, with particular regard to private external amenity space.

Reasons

Character and Appearance

4. The appeal property is a contemporary apartment block located at the head of Clitherow Road, which is predominantly characterised by a regularity of dwelling types and largely consistent appearance, broadly comprising traditional two storey blocks of rendered dwellings with pitched slate roofs. Whilst the appeal property has been designed to address and reflect the scale of properties along Clitherow Road and is therefore two-storey fronting Clitherow Road, due to different levels, the rear elevation is three-storey and faces a large complex of three-storey art deco residential buildings on Manor Vale.
5. The appeal building, the adjacent Manor House and the residential blocks at Manor Vale vary in age, scale and appearance to each other and are not laid out in a traditional street pattern. The character of this area is one of large apartment blocks with varying forms of fenestration set within areas of landscaping and parking. This contrasts sharply with the more traditional appearance and street layout of properties along Clitherow Road.
6. The proposal seeks the creation of an additional apartment within the roof-space of the appeal building and includes two dormers and a recessed roof terrace on the rear elevation facing Manor Vale. The proposed dormers would not be dissimilar to those on the Manor Vale buildings and would be consistent in scale and alignment with the existing windows on the rear elevation of the appeal building. The terrace would be set into the rear roof plane which would considerably reduce the visual prominence of the alteration as experienced from outside the site. Furthermore, the proposed glazed balustrade on the terrace would match the appearance of the balustrades on the balconies at the appeal site.
7. The proposed alterations would not increase the height or hipped roof form of the appeal building and the proposed dormers would be seen in the context of the numerous dormers on the Manor Vale buildings, providing some consistency in appearance. The proposed roof light on the side hipped roof plane and the proposed circular window on the front gable pediment are minimal alterations which harmonise with the appearance of the host building and be seen in the context of the varied townscape locally.

8. Consequently, the proposed development would not harm the character and appearance of the area. It would accord with the design and character aims of Policies CC1 and CC2 of the London Borough of Hounslow Local Plan 2015-2030 (HLP), Policies D3 and D4 of the London Plan¹, the Council's Residential Extension Guidelines and the National Planning Policy Framework.

Living Conditions

9. Figure SC5.2 within Policy SC5 of the HLP sets out benchmark external space standards the Council expect to be provided for new residential accommodation. For flats, a combination of private outdoor space for each flat as well as communal open space is required. In addition to the communal space requirement, the figures stipulate a minimum standard of 5sqm of private outdoor space for each 1-2 person dwelling and an extra 1sqm for each additional occupant, which can be provided in the form of balconies, roof terraces or private garden space. The policy also requires external space to be usable and to afford privacy and security.
10. The proposed flat could accommodate 3 people and as such, Policy SC5 requires that 6sqm of private external amenity space should be provided. The proposal would incorporate a private roof terrace measuring approximately 5sqm. Therefore, the proposal would not comply with this element of Policy SC5. The presence of a communal area of outdoor space does not negate the need for each flat within the building to have access to private external space.
11. Nevertheless, even though the proposed roof terrace is minimally deficient in size, I find the rectangular configuration of the terrace and its open aspect would provide adequate and functional, secure and private external space for day to day use by future occupiers of the proposed dwelling.
12. I have not been provided with an internal layout for each floor of the existing building, which currently contains 6 flats. However, the Council's officer report provides confirmation that future occupants of the proposal would have access to existing communal gardens. At my site visit I saw private outdoor garden space for the two lower ground floor flats and a grassed area of communal outdoor space for other residents of the building, accessed from Clitherow Road via a locked gate. The communal area also contained a large outbuilding to accommodate cycles.
13. The amount of communal external space available would be sufficient to accommodate occupiers of the additional flat. Moreover, the site is within close walking distance of large areas of publicly accessible greenspace, particularly Boston Manor Park.
14. For the above reasons, the proposed development would provide acceptable living conditions for the future occupants of the proposed dwelling, with particular regard to private external amenity space. As such, I find no conflict with Policies CC2 and SC5 of the HLP which require development to function well for future residents and provide appropriate private external space that is useable and affords privacy and security, an objective shared with the National Planning Policy Framework.

¹ The Mayor of London's London Plan (2021)

Other Matters

15. I note the concerns raised by interested parties regarding lack of parking space in the area. The proposed dwelling would be car-free and a condition is imposed in this respect, the enforcement of which would be a matter for the Council. The proposal would include adequate internal space for the storage of the additional bins required.
16. The proposed development would not increase the height of the existing building. The proposed roof terrace would be located to the rear of the building and would not project beyond the existing roof plane. I am not persuaded that the levels of noise and disturbance arising from the use of this area as a modest and screened balcony would be significant. The Council's officer report confirms that the proposal would not harm living conditions of occupiers of neighbouring properties with regard to light, outlook or privacy and from my site visit there is no compelling evidence to lead me to a different finding.
17. Having regard to the limited scale of the proposal, any disturbance during the construction period and any deliveries to future occupiers would be short-term. The Council's handling of the planning application, damage to roads and pavements and the conduct of those involved in the appeal do not affect my findings on the planning merits of the scheme which I have considered on its own individual merits.

Conditions

18. I have considered the suggested conditions from the Council and had regard to Paragraph 56 of the Framework and the Planning Practice Guidance² in terms of the use of planning conditions. I have edited some of the suggested conditions for clarity and enforceability. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary in the interest of certainty. A condition requiring that external facing materials match the existing building is also necessary in order to preserve the character and appearance of the area.
19. In order to ensure the development is car-free I consider a condition is necessary. Whilst not a condition suggested by the Council, the Council's officer report refers to Policy EC2 of the HLP and the need for such a condition to be consistent with the planning permission for the existing building and because the council operates a controlled parking zone in the Clitherow Road area.
20. The Council suggested a condition preventing windows, doors or other glazed openings formed within the rear roof slope of the proposed extension. However, there is no evidence before me that exceptional circumstances exist that would justify the removal of permitted development rights in this case. Accordingly, I do not consider that this condition is necessary in order to make the development acceptable in planning terms.
21. Having regard to the distance between the proposed rear roof terrace and rear facing windows on the Manor Vale flats and the details of the privacy screen indicated on the plans before me, a condition requiring full details as suggested in the Council's officer report are not necessary.

² PPG Paragraph: 003 Reference ID: 21a-003-20190723; revision date: 23 07 2019

Conclusion

22. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Veervers

INSPECTOR