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## Appeal Decision

Site visit made on 29 November 2022

**by Gary Deane BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 December 2022**

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**Appeal Ref: APP/F5540/D/22/3305958**  
**211 Jersey Road, Isleworth TW7 4RE**

- 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 Sanco Real Estate Limited against the decision of the Council of the London Borough of Hounslow.
  - The application Ref 00647/211/P6, dated 1 April 2022, was refused by notice dated 20 June 2022.
  - The development proposed is to add new conservatory to existing house.
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### Decision

1. The appeal is dismissed.

### Procedural matters

2. At the site visit, construction work was well underway at the back of the appeal property. I saw that a rear extension was partly built that differed to the proposal in design, scale, and position. For the avoidance of doubt, I have assessed the proposal as it is shown on the plans because it was on that basis that the Council refused planning permission.
3. The Council states that the submitted drawings do not accurately depict the current site. While I have had regard to this point, my assessment is based on all the evidence before me including an inspection of the site and its surroundings. On that basis, I am satisfied that the details of the site and the proposal as illustrated on the plans and detailed in the written evidence allow a reasonable assessment of the appeal scheme.

### Main issues

4. The main issues are the effect of the proposed development firstly, on the living conditions of the occupiers of 213 Jersey Road with particular regard to visual impact, light and privacy; and secondly, on the character and appearance of the host building and the local area.

### Reasons

#### *Context*

5. The appeal dwelling is a largely 2-storey dwelling within a predominantly residential area and the Osterley Park Conservation Area (CA). From what I saw, the CA derives its significance as a designated heritage asset largely from Osterley House and its landscaped grounds, extensive parkland and from the mostly interwar suburban housing that address well kept, tree-lined streets.

6. I saw that the appeal property has been altered and extended at the rear to include ground floor rear additions and a dormer at roof level. The proposal is to further enlarge the appeal property by erecting a conservatory that would infill the recess at the back of the building, as it is shown on the plans.

#### *Living conditions*

7. By connecting with recently approved additions at the back of No 211, the new conservatory would lengthen the flank wall close to and parallel with the site's boundary that is shared with the attached property, 213 Jersey Road.
8. According to the Council, the combined length of the existing and proposed extension would be more than 6-metres from the original back wall of No 211. This arrangement would exceed the maximum length for this type of extension that is advised in the Council's Residential Extension Guidelines Supplementary Planning Document (REG). The REG explains that an extension should not project too far from the rear wall of the original house because it could cause unacceptable enclosure and a loss of light received by neighbours.
9. From the rear windows of No 213, its conservatory, patio and back garden, a considerable expanse of brick wall and windows would be evident just beyond the common boundary with the site. While a fence along this boundary would partly screen the existing and proposed extensions, the built development would still be evident projecting above it. Due to the rearward projection, height, and proximity to the boundary with No 213, there would be an intrusive and overbearing aspect for the occupiers of this attached property. In reaching this conclusion, I have considered the flat roof of the new conservatory.
10. There would also be some loss of sunlight to the rear of No 213 due to the new built form particularly during the afternoon. That loss would be primarily caused by the overshadowing effect of the approved and proposed extensions just to the south. The resultant loss of natural light would exacerbate the visual impact of the appeal scheme on No 213. It would cause the completed building to appear unduly oppressive to the occupiers of this adjacent property especially when viewed from their rear garden.
11. The side elevation of the proposal includes windows from which views of the rear garden of No 213 would be direct and at close range even with a typical boundary fence in place. This arrangement would be at odds with the guidance within the REG, which states that the side elevations of a conservatory should be solid to prevent overlooking. The inclusion of side windows to the new conservatory, as proposed, would seriously harm the neighbours' reasonable enjoyment of their back garden due to an undue loss of privacy.
12. On the first main issue, I conclude that the proposed development would materially reduce the living conditions of the occupiers of No 213. Accordingly, it conflicts with Policies CC2 and SC7 of the Council's Local Plan 2015–2030 (LP) and the REG insofar as they aim to safeguard residential amenity. It is also at odds with National Planning Policy Framework (the Framework), which states that development should ensure a high standard of amenity for all users.

#### *Character and appearance*

13. The proposal would be modest in scale and depth with a roof level set well below that of the host building. However, it would be seen together with the other changes at the rear of No 211. These extensions have already elongated

the built form of the dwelling, significantly enlarged its footprint, and noticeably added to its scale and mass. By introducing additional built form, the proposal would not be regarded as a subordinate addition, which is expected of development proposals under LP Policy SC7. The rear of the main building would be overwhelmed by the considerable scale, depth, and mass of both the existing and proposed extensions to the extent that the form of the original building would be unduly compromised.

14. Views of the proposal from public vantage points would be limited given its position at the back of the main house. However, it would be evident from the gardens of the properties on either side of the site. From these vantage points, the proposal would draw the eye because it would form an integral part of an overly large, bulky, and unsympathetic enlargement of the dwelling.
15. Among the weaknesses of the CA identified in the Council's Conservation Area Appraisal (CAA) is harmful extensions and alterations. The CAA also states that poor quality new developments can harm the integrity of the CA. For the reasons given, the proposal would be one such example.
16. The harm caused by the appeal scheme on the significance of the CA as a designated heritage asset would be less than substantial. In those circumstances, the Framework states that the harm should be weighed against the public benefits. No such benefits have been put forward and none would outweigh the identified harm.
17. On the second main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. It would fail to preserve the character and appearance of the CA. As such, the proposal conflicts with LP Policies CC1, CC2, CC4 and SC7 and the guidance within the REG. These policies and guidance aim to ensure that development complements the original building, maintains the character of the local area and conserves, and enhances heritage assets such as conservation areas.

#### *Other matters*

18. I appreciate that sizeable rear extensions can be introduced as permitted development through the prior approval scheme, subject to various limits and conditions. However, there is no suggestion that the appeal dwelling benefits from such rights and planning permission is sought for the new development. I have assessed the proposal on that basis.
19. The appellant has referred to a similar extension at No 227 although few details have been provided of this scheme. Consequently, I am unable to assess whether the circumstances in that instance are the same or very similar to those before me. In any event, I have assessed the proposal on its own merits and find it to be unacceptable for the reasons given.

#### **Conclusion**

20. For the reasons set out above, I conclude that the appeal should be dismissed.

*Gary Deane*

INSPECTOR