



Appeal Decisions

Site visit made on 21 February 2023

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2023

Appeal A: Appeal Ref: APP/F5540/D/22/3305087

31 Albury Avenue, Isleworth TW7 5HY

- 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 A Brar against the decision of London Borough of Hounslow.
 - The application Ref 00018/31/P4, dated 31 March 2022, was refused by notice dated 31 May 2022.
 - The development proposed is erection of single storey rear extension and a two storey side extension following demolition of existing garage, erection of a rear roof extension incorporating a hip to gable conversion on both sides of the roof and two front roof windows.
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Appeal B: Appeal Ref: APP/F5540/D/22/3305089

31 Albury Avenue, Isleworth TW7 5HY

- 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 A Brar against the decision of London Borough of Hounslow.
 - The application Ref 00018/31/P5, dated 31 March 2022, was refused by notice dated 31 May 2022.
 - The development proposed is erection of a single storey rear extension and a two storey side extension following demolition of existing garage, erection of a rear roof extension incorporating a hip to gable conversion on both sides of the roof.
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Decisions

Appeal A: Appeal Ref: APP/F5540/D/22/3305087

1. The appeal is dismissed.

Appeal B: Appeal Ref: APP/F5540/D/22/3305089

2. The appeal is dismissed.

Preliminary Matters

3. I requested access to 33 Albury Avenue so that I could view the appeal site from that property, and I was able to do so at my visit.
4. I have taken the description of the developments from the Council's decision notices and the appeal forms as these accurately represent the proposals.
5. The proposals are located on the same site. I have therefore considered the appeals in a single decision letter to avoid repetition. However, I have considered each appeal on its individual merits.

Background and Main Issues

6. In respect of both appeals, the Council's reason for refusal relates solely to matters of character and appearance. However, comments made by residents of No 33 refer to matters including outlook and light.
7. On that basis, the main issues are the effect of the proposals on the:
 - Living Conditions of residents of No 33 with regards to outlook and light; and
 - Character and appearance of the area.

Reasons

Living Conditions

8. The appeal site and No 33 are arranged at an angle due to the curve of the street layout. The rear elevation of No 33 is therefore set at an angle facing onto the appeal site, with the result that windows in that elevation are particularly sensitive to development on the appeal site. No 33 also includes a conservatory to the rear, which provides a relatively large seating area and which looks onto a narrowing garden as well as the appeal site.
9. In respect of **Appeal A**, the proposal would include a 2-storey side extension built above an existing single storey building to the side of the main dwelling. Due to the relative arrangement of the properties, the gable wall of the proposed 2-storey side extension would be located directly adjacent to the conservatory and would project along its full extent on the common boundary. Due to the massing of the proposed extension and the arrangement of the properties, the extension would be an enclosing and oppressive feature in views through the roof of the conservatory. For the same reasons, I consider that the proposal would also lead to a significant loss of daylight and sunlight to the conservatory and the rooms that face onto it.
10. Further in respect of Appeal A, there is a first floor bedroom window at No 33 which would face onto the proposed side extension. Due to the massing and degree of projection of the extension as well as the relative arrangement of the properties, the proposal would have an unacceptable enclosing and oppressive impact on views from that bedroom window. I also consider that there would also be a commensurate and unacceptable loss of light reaching that room.
11. Appeal A also includes a ground floor extension to the rear with a glass roof sloping down to the boundary with No 33. This would enable an intrusive degree of intervisibility between the rear extension and upper windows of No 33, although this could be addressed through the use of obscured glazing for the sloping roof which may be secured by condition. Due to the limited height of the rear extension along the boundary with No 33, I do not consider that it would have an overbearing impact or lead to an unacceptable loss of light to the neighbouring property.
12. With regards to **Appeal B**, the upper part of the rear elevation of the proposed 2-storey side extension would be set back from the rear elevation of the main dwelling. However, even then it would still project along a significant extent of the site boundary adjacent to the conservatory at No 33. The set-back would not be sufficient to overcome the oppressive impact of the proposal in views from the conservatory. Similarly, the residents of No 33's concerns about the

amount of daylight and sunlight reaching the conservatory are well founded, and the appellant has provided no substantive evidence to demonstrate otherwise.

13. In respect of the bedroom window of No 33, the extension proposed as part of Appeal B would be visible from some viewing angles. But I consider that the degree of set-back would be sufficient so that the proposal would not be unduly oppressive or enclosing in views from that room.
14. Appeal B also includes a ground floor rear extension, but due to its limited projection and partial set-back from the boundary with No 33 I do not consider that it would have a harmful affect on the living conditions of residents of that property.
15. The Council's Officer reports conclude that neither of the proposals would have a harmful impact on neighbouring properties, and this has not been identified as a reason for refusal by the Council. However, this does not lead me to a different conclusion based on my own observations in respect of No 33.
16. The appellant has provided details of a lawful development certificate issued for a rear roof extension, which includes a hip-to-gable conversion amongst other things. However, this would be set further from the boundary with No 33 than the appeal proposal with commensurately less harm, and I therefore give this little weight as a fallback scheme in support of this main issue.
17. I therefore conclude that in respect of both Appeal A and Appeal B, that the proposal would lead to significant harm to the living conditions of residents of No 33 in respect of outlook and light. The proposals would therefore be contrary to Policies CC2 and SC7 of the Hounslow Local Plan 2015-2030 (the Local Plan) in respect of amenity considerations and minimising harm to neighbouring residents. The proposals would also be contrary to the advice of the Council's Residential Extension Guidelines 2017¹ (REG) in respect of the consideration of overshadowing and daylight.

Character and Appearance

18. The appeal site is located in a pleasant suburban area consisting of a mixture of semi-detached and detached dwellings. The existing building has a hipped roof which is representative of the prevailing roof design in the area.
19. That said, there is a mixture of roof designs and extensions in the immediate area of the appeal site, including gable and flat roofs. I have also had regard to a lawful development certificate which shows that a hip-to-gable conversion to a crown roof can be undertaken under the property's permitted development rights. The appellant specifies that they intend to commence the permitted development, and works were underway at the time of my visit. The fall-back scheme is therefore a realistic possibility, and on that basis I consider that the hip-to-gable element of both appeals is acceptable.
20. However, in respect of **Appeal A**, the proposal uses a crown roof design with different degrees of pitch on the front and rear roofslopes, as well as a differing pitch for the rear roofslope of the 2-storey side extension compared to the host dwelling. This would give the proposal a clumsy and jarring appearance, even given the mix of housing designs and extensions in this area. Due to the

¹ Residential Extension Guidelines, Supplementary Planning Document, A Guide for Householders, 2017.

arrangement of the property, this unacceptable design would be apparent from the street. The front elevation of the side extension would also not reflect the design of the host dwelling, which would add to the unacceptable appearance of the proposal.

21. I therefore conclude that Appeal A would lead to significant harm to the character and appearance of the area. The proposal would therefore be contrary to Policies CC1, CC2 and SC7 of the Local Plan with regards to design and the consideration of the character of the area. The proposal would also be contrary to the aims of the REG in respect of harm to the character of the area.
22. With regard to **Appeal B**, the proposal would also have differing degrees of pitch for the roof slopes to the front and rear. However, the roof slopes of the host building and the side extension would complement each other, and the treatment of the front elevation of the extension reflects that of the main dwelling. Despite the scale of the 2-storey extension, the set back of the elevations from the main dwelling as well as the lower roof height would mean that the proposal would appear to be subservient to the main dwelling, even given the width of the extension.
23. On that basis, and mindful of the fall-back scheme and the mix of housing designs in the immediate area, I consider that the proposal which is the subject of Appeal B would not harm the character and appearance of the area. Appeal B would therefore comply with Policies CC1, CC2 and SC7 of the Local Plan with regards to design and the consideration of the character of the area. Although the proposal may not meet specific criteria of the REG, for the reasons stated previously I conclude that the proposal would comply with the aims of the REG in respect of avoiding harm to the character of the area.

Other Matters

24. I have had regard to the intentions of the appellant to improve accommodation at the property. But this benefit would not outweigh the significant harm I have identified in respect of both proposals.

Conclusion

25. For the reason stated previously, Appeal A would be contrary to the development plan in respect of the living conditions of residents of No 33 as well as harm to the character and appearance of the area.
26. Notwithstanding my conclusions on Appeal B regarding character and appearance, the proposal would lead to significant harm to the living conditions of residents of no 33 in respect of outlook and light. The proposal would therefore be contrary to the development plan in respect of the living conditions of neighbouring residents.
27. There are no material considerations that indicate the decisions should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that both Appeal A and Appeal B should be dismissed.

David Cross

INSPECTOR