

Appeal Decision

Site visit made on 27 September 2016

by J Dowling BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 September 2016

Appeal Ref: APP/F5540/D/16/3154698

34 Boston Gardens, Brentford, Middlesex TW8 9LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr Slavomir Wotjowicz against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00132/34/PA1, dated 21 March 2016, was refused by notice dated 3 May 2016.
 - The development proposed is single storey (infill) rear extension.
-

Decision

1. This appeal is allowed and approval granted under the provisions of Schedule 2, Part 1, paragraph A4 of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) for a single storey (infill) rear extension at 34 Boston gardens, Brentford, Middlesex TW8 9LW in accordance with details submitted pursuant to Schedule 2, Part 1, Paragraph A4(2) of the GPDO.

Procedural matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of adjoining premises, taking into account any representations received. My determination of this appeal has been made in the same manner.

Reasons

3. The appeal property is a two storey semi-detached property. At the rear of the property is an existing single storey rear extension that has a stepped rear elevation. The proposal is for a single storey rear extension that would infill the area adjacent to the boundary with No 36 extending the existing extension further rearward to line through with the stepped element.
4. The occupiers of No 36 stated that they had no objection to the infilling of the area between the existing extension and the shared boundary but raised a concern if the proposal was to project beyond that.
5. In terms of outlook both No 34 and No 36 have existing rear extensions of a similar depth. The proposed infill extension at No 34 would project beyond the rear of the extension at No 36 by just under 2 meters. Immediately adjacent to the existing extensions is a close boarded fence which runs along the mutual

boundary between the two properties. As a result I consider that the bulk of the proposed side wall would be screened from view behind the fencing and it would only be the upper part of the side elevation that would affect No 36.

6. Therefore, whilst I acknowledge that the proposed extension would be visible from the rear of No 34 given the limited increase in depth I consider that the proposal would not be unacceptably overbearing or result in the enclosing of a significant area of amenity space. As a consequence while the proposal would exceed the depth for rear extensions advocated in the Council's adopted Supplementary Planning Guidance 'Residential Extensions Guidelines' (2003) I consider that the proposal would not result in material harm to the living conditions of the occupiers of No 36.
7. The proposal would therefore be in accordance with the National Planning Policy Framework as far as it meets the Framework's core principles, particularly that planning should be seeking a good standard of amenity for all existing and future occupants of land and buildings.

Conclusion

8. For the reasons given above, I conclude that the appeal should be allowed and approval granted. In granting approval the appellant should not that the GPDO requires at Paragraphs A4 (13) , (14) and (15) that the development shall be completed on or before 30 May 2019 and that the developer shall notify the local planning authority in writing of the completion of the development as soon as reasonably practicable after completion. Such notification shall include the name of the developer; the address or location of the development, and the date of completion.

Jo Dowling

INSPECTOR