
Appeal Decision

Site visit made on 12th December 2016

by Jonathan G King BA(Hons) DipTP MRTPI

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

Decision date: 22nd December 2016

Appeal Ref: APP/F5540/D/16/3158866
230 Ash Grove, Heston TW5 9DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mr Asim Hanif against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 0048/230/PA3, dated 20th July 2016, was refused by notice dated 25th August 2016.
 - The development proposed is a ground floor rear extension rear extension to form a new study room, shower room & family room.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue in this case is the effect of the proposed development on the living conditions of neighbouring occupiers.

Procedural matters and clarification

3. The application was a notification of a proposed larger home extension under the Town and Country Planning (General Permitted Development) Order 1995, Schedule 2, Part 1 (Class A.1(ea)). The Council's determination relates to whether the prior approval of the Council is required and, if so, whether it should be granted. The Council has determined that prior approval is required and that it should be refused.
4. The development was described on the application form as: *"to create new study room, shower room & family room"*. The dimensions were given as 4.7 metres deep; a maximum height of 2.5 metres; and 2.9 metres high to the eaves. These dimensions were also used by the Council on the decision notice. However, it would appear is that they contain an error, in that the dimensions for eaves height and maximum height have been transposed: the eaves would be 2.5 metres and the maximum height 2.9 metres. However, this does not affect my considerations. For simplicity, I have simply described the development as a rear extension to form a new study room, shower room & family room.

Reasons

5. The appeal property is a mid-terrace house lying between 2 others: Nos 228 and 232. The side rear boundary of No 230 with No 228 is marked by a brick wall which I estimate as being about 1.85 metres in height. This is intended to remain in place. To the rear of No 228 is an existing single-storey extension around 3.5 metres in depth. According to the submitted plans, the proposed extension would be built 1.85 metres away from this extension (though the appellant's statement says 1.6 metres).
6. Policy SC7 *Residential extensions and alterations* of the Council's Local Plan expects, amongst other things, for development to minimise harm to neighbouring residents, such as avoiding an unacceptable loss of daylight/sunlight, of outlook or by creating an unacceptable sense of enclosure. It adds that regard should also be had to design guidance as set out in Supplementary Planning Guidance (SPG). The Council's Residential Extension Guidelines (SPG) states that a rear extension should not project too far from the rear wall of the original house as this could block daylight and sunlight received by neighbouring properties. It sets a maximum depth of 3.05 metres for rear extensions to terraced properties. However, if an adjoining house already has a deeper extension, permission may be granted for an extension of a similar depth if it does not block light to neighbouring houses. Where there is a deep extension on only one side, permission may be given for an L-shaped or an extension with a corner taken off (a chamfered extension).
7. In this case, the proposed extension would exceed the depth of that at No 228 by around 1.65 metres (erroneously stated as 0.65 metres in the Council officer's report). Moreover, it would be located to the south, thereby having the potential to affect the amount of direct sunlight as well as indirect daylight reaching the rear of the neighbouring house. However, taking into account the retention of the boundary wall, together with the degree of separation from the existing extension to No 228 and the difference in length of the extensions, the practical effect would be very little different from the chamfered extension envisaged in the SPG. Having regard to the specific circumstances, I take the view that what is proposed would be unlikely to have any significant effect on the living conditions of the neighbouring occupiers, whether by reference to the effect on the incidence of light or otherwise. I do not believe that the provisions or intentions of Policy SC7 would be breached.
8. In contrast, on the other side, No 232 is not extended at the back other than by a very small brick outhouse some 1.6 metres in depth which presently also continues for a short distance to the rear of No 230. The proposed extension would butt up against the common boundary and would extend for 4.7 metres: in the region of 3.1 metres beyond the back of the outhouse. On the other (southern) side boundary of No 232 is a single-storey extension to its neighbour, No 234.
9. I take the view that the proposed extension would reduce the amount of light reaching the room closest to the boundary. However, as it would be to the north, there would be no effect on the incidence of direct sunlight. Although not in accordance with the guidelines of the SPG, I do not believe that the effect on light alone would be unacceptable or sufficient to oppose the development having regard to the provisions of Policy SC7. However, particularly in view of the fairly narrow plot and the existence of the extension

to No 234, I take the view that the presence of a blank brick wall, some 2.9 metres high, extending 4.7 metres along the boundary, would significantly and unacceptably increase the sense of enclosure for the occupiers of No 232 and also affect the quality of the outlook from the ground floor rooms and from the outside area behind the house. The living conditions of the occupiers would thereby be harmed.

10. I have considered the other Local Plan policies brought to my attention by the Council, but to my mind they do not significantly add to the provisions of Policy SC7
11. Notwithstanding my conclusion with respect to the effect on the occupiers of No 228, I conclude overall that the proposed extension would not be acceptable having regard to Policy SC7. Consequently the appeal fails.

Jonathan G King

Inspector