

Appeal Decision

Site visit made on 17 January 2017

by Y Wright BSc (Hons) DipTP MSc DMS MRTPI

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

Decision date: 1 February 2017

Appeal Ref: APP/F5540/D/16/3164700
71 West Way, Hounslow, Middlesex TW5 0JD

- 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, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr SS Arora against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01193/71/PA1, dated 21 October 2016, was refused by notice dated 16 November 2016.
 - The development proposed is single storey rear extension.
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Decision

1. This appeal is dismissed.

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of the occupiers of adjoining properties, 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 semi-detached two storey house within a residential area. The proposed single storey extension would be 6m deep, consisting of a flat roof about 3.9m high for around a 3m depth, before pitching downwards for the remaining projection to an eaves height of about 2.8m. The submitted plans indicate that the scheme would span the entire width of the house.
 4. The occupiers of neighbouring houses at No 69 and No 73 West Way have existing single storey rear extensions. I note that both main parties have provided different depth measurements for these which are over 3m but no more than 4m. Even so, whichever measurements are correct the proposed depth of the extension from the point of the rear elevations of these neighbouring extensions would be less than 3m.
 5. In relation to the effect of the development on levels of sunlight and daylight I note that the Council considers that the proposal would have an adverse impact on neighbouring occupiers. Whilst I have taken account of the south facing orientation of the properties, based on the limited evidence that is before me, I am not satisfied that the neighbours' rear habitable rooms in both
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No 69 and No 73 would receive adequate levels of daylight or sunlight. On this basis I therefore find that there would be unacceptable harm to the living conditions of the occupants of both these properties in this regard.

6. In terms of outlook, as existing extensions are in place on both adjacent properties, I consider the additional projection that would be visible would be modest, particularly as the bulk of the side elevations would be screened behind existing fencing. Furthermore the effect of the development on the occupiers of No 73 would be further reduced as there would be a degree of separation between the extensions due to a proposed pathway. I therefore consider that the development would not be excessive in scale when viewed from No 69 and No 73, or result in an adverse increase in the sense of enclosure for the occupiers. Consequently there would be no material harm to living conditions for these neighbouring residents in relation to outlook. Nevertheless this is a neutral effect which does not outweigh the material harm I have found in relation to daylight and sunlight.
7. As regards properties to the rear of the appeal dwelling I agree with both main parties that as these are a significant distance away from the proposed development, the living conditions for these neighbouring occupiers would remain acceptable. The appellant has also drawn my attention to aerial images of other large single storey rear extensions within close proximity to the site. Nevertheless I have limited information on these developments and therefore cannot be sure that they are directly comparable to the appeal before me. In any case I must determine this appeal on its own individual merits and on the basis of its impact on the amenity of the occupiers of adjoining properties.
8. Therefore based on the evidence submitted I conclude that the proposal would result in material harm to the living conditions for the occupiers of No 69 and No 73 in terms of levels of daylight and sunlight. I note that the National Planning Policy Framework (the Framework) seeks a good standard of amenity for all existing and future occupants of land and buildings. Consequently the proposal would not accord with the Framework in this regard.
9. The proposal would also be contrary to the Hounslow Local Plan (2015) (LP) Policy CC1 which seeks to conserve and enhance character, and LP policies CC2 and SC7 and the Council's adopted Supplementary Planning Guidance 'Residential Extensions Guidelines' (2003), which all include seeking development that minimises harm to neighbouring residents.
10. Concerns have been raised about other matters relating to character and appearance, access and the potential to damage adjacent properties and garden plants during construction. However I have no substantive evidence that the proposal would result in harm on these matters. Nevertheless I can only determine the appeal on the basis of its impact on the amenity of the occupiers of adjoining properties.

Conclusion

11. For the reasons given above, and having considered all matters raised, I conclude that the appeal should be dismissed.

Y Wright

INSPECTOR