
Appeal Decision

Site visit made on 25 April 2017

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 3 May 2017

Appeal Ref: APP/F5540/D/17/3171812
9 Wigley Road, Hanworth TW13 5HD

- 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 (as amended).
 - The appeal is made by Mr Abdul Ahad against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01207/9/PA1, dated 12 December 2016, was refused by notice dated 20 January 2017.
 - The development proposed is additional ground floor single storey rear extension making extension 6m from the existing rear wall of the property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) allows for the enlargement, improvement or other alteration of a dwellinghouse. Until 30 May 2019, Paragraph (g) of that Class makes provision, subject to conditions, for single storey extensions up to 6m in depth from a house other than a detached house and up to 4m in height. The Council have confirmed that the proposed extension would meet those restrictions, but the conditions include that neighbouring occupiers should be notified of the proposed development and, if they object, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. In this case, an objection from a neighbouring occupier has resulted in refusal of prior approval.
 3. The Council refused the application for the following reason: "*The applicant has failed to provide a plan indicating the site and showing the proposed development.*" The appeal questionnaire confirms that all the plans submitted with the application have been provided, which consist of existing floor plans and elevations, proposed floor plans and elevations and a site plan. I have used these plans in coming to my decision.
 4. The provisions of the GPDO require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, including taking into account any representations received. My determination of this appeal has been made in the same manner.
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Main Issue

5. The Council suggest that, had they considered the application, it would have been refused due to its scale and proximity to the boundaries of the site. It is unclear from their representations what effect those matters would have on occupiers of neighbouring properties. However, I consider that the main issue is the effect of the proposed extension on the living conditions of neighbouring occupiers of 5-7 and 11 Wigley Road with particular regard to outlook and light.

Reasons

6. The appeal site is an end of terrace property that has been extended in the past, including a single storey pitched roof extension to the rear. The proposed extension would result in rear extensions totalling 6m in depth, with the additional flat roofed element being 2.7m in height to the eaves. It is located adjacent to the boundary with the neighbouring property at 11 Wigley Road, which is the attached terraced neighbour. Neighbouring properties to the other side are at right angles to no. 9, with their rear gardens backing onto the side of the property.
7. The depth, height and location of the proposed extension would result in it extending a significant distance along the boundary with the attached 11 Wigley Road, such that it would dominate the rear windows and the garden immediately to the rear of that property. As such, it would cause significant harm to the outlook, and consequently the living conditions, of occupiers of that dwelling.
8. Whilst there would be some shading of the garden at no. 11, the height of the proposed extension would not be sufficient to lead to material loss of sunlight or daylight to occupiers of that property.
9. The proposed extension is divided from the neighbouring properties at 5-7 Wigley Road by the existing outbuilding at the property and a tall wall that extends a short distance along the boundary in front of that outbuilding. This would separate the proposed extension from those neighbours, such that the extension would not affect the living conditions of occupiers of those dwellings in terms of outlook and light.
10. As a result of the adverse effect of the proposed extension on the living conditions of neighbouring occupiers at 11 Wigley Road by reason of outlook, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR