
Appeal Decision

Site visit made on 5 June 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: 12 June 2017

Appeal Ref: APP/F5540/D/17/3173901

3 Eversley Crescent, Isleworth TW7 4LR

- 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 A4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr Anand Aggala against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00423/3/PA2, dated 23 February 2017, was refused by notice dated 4 April 2017.
 - The development proposed is single storey rear extension 6m from original dwelling.
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Decision

1. The 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 2015 (as amended) for single storey rear extension 6m from original dwelling at 3 Eversley Crescent, Isleworth TW7 4LR in accordance with the details submitted pursuant to Schedule 2, Part 1, Paragraph A4 (2) of the GPDO.

Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) 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 premises, taking into account any representations received. My determination of this appeal has been made in the same manner, and therefore the concerns raised in the objection representation about the likelihood of further extensions are not matters for consideration in this appeal.

Application for costs

3. An application for costs was made by Mr Anand Aggala against the Council of the London Borough of Hounslow. This application is the subject of a separate Decision.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of the occupiers of adjoining properties.
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Reasons

5. The appeal property is a two storey semi-detached house within a residential area. There are neighbouring properties to each side and the church of St Vincent de Paul to the rear. The proposal would add a single storey rear extension to approximately half the width of the property. This would be 6m deep when measured from the deepest part of the original rear elevation and would be 3m high to the eaves with a maximum height of 3.7m.
6. No1 Eversley Crescent is a detached property, separated from the appeal dwelling by a distance of about 2.8m. I recognise that the proposal would be visible when viewed from this property, but the bulk of it would be screened by the existing fence and it would be set back away from the common boundary by around 1.4m. I also saw on my site visit that both properties have reasonable sized rear gardens. Taking into account its proposed single storey height and the separation distance, I do not consider that the proposal would result in an unduly detrimental sense of enclosure for the occupiers of No 1 or that there would be an unacceptable impact overall on outlook.
7. Furthermore as the extension would be located to the north of No 1 there would be no significant issue of overshadowing or loss of light to this property. Consequently I conclude that there would be no material harm to living conditions for the residents of No 1.
8. Whilst the extension would be sited to the south of No 5, it would be single storey and would be significantly set back by around 4.3m from the common boundary. In my view this substantial gap would provide a generous separation distance between the properties such that there would be no significant loss of daylight, sunlight or outlook for the occupiers of No 5. Consequently I conclude that there would be no material harm to living conditions for neighbouring residents at No 5.
9. I acknowledge that the development would be larger than the maximum extension depth of 3.65m for semi-detached properties as set out in the Council's 'Residential Extension Guidelines' Supplementary Planning Guidelines (SPG) (2003). This seeks to ensure that daylight and sunlight to neighbouring residents is not blocked by development. I also note that the SPG pre-dates the publication of the amended GPDO which permits larger extensions subject to a number of conditions, and as such is not entirely consistent with it.
10. In this instance as I have already found that the appeal proposal would not be materially harmful as regards the main issue, the larger extension would comply with the provisions of the GPDO. In this context it would also comply with Policies CC2 and SC7 of the Hounslow Local Plan (2015) (LP), the SPG and the National Planning Policy Framework.
11. Whilst the Council includes LP Policy CC1 within its reason for refusal, as this relates to character and context rather than amenity I do not refer to it within my decision.

Conditions

12. The appellant should note that under the GPDO, the development is permitted subject to a number of conditions. This includes, as set out under paragraph A3 of Schedule 2, Part 1 of the GPDO, a condition requiring that the materials used in any exterior work shall be of a similar appearance to those used in the

construction of the exterior of the existing dwellinghouse. As such it would be unnecessary to impose a separate condition regarding matching materials as suggested by the Council.

13. Paragraph A4 (11) of the GPDO also requires that development is carried out in accordance with the approved details unless the local planning authority and developer agree otherwise in writing. In the context of this appeal the approved details include the application form and the submitted plans. I therefore do not find it necessary to impose a separate condition regarding the approved plans.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed and approval granted. In granting approval the Appellant should note 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.

Y Wright

INSPECTOR