
Appeal Decision

Site visit made on 21 November 2017

by Richard S Jones BA (Hons) BTP MRTPI

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

Decision date: 12 December 2017

Appeal Ref: APP/F5540/D/17/3181757
30 Burns Way, Hounslow TW5 9BA

- 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 (as amended).
 - The appeal is made by Mr Naseer Siddiq against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00183/30/PA4, dated 28 March 2017, was refused by notice dated 16 May 2017.
 - The development proposed is a ground floor rear extension 6 metres deep, maximum height of 2.95 metres, 2.95 metres high to the eaves.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development as set out in the appeal form as this more fully describes the proposal.
3. Following on from my site visit, it became apparent to me that the OS Map provided by the appellant identified No 32 Burns Way as the application site, rather than No 30 Burns Way, as set out in the application forms. I subsequently wrote to the parties for clarification and the appellant has confirmed, having checked the information supplied, that the address provided is correct but the OS map is not. The Council also agree that plan outlines No 32 as the application property. I have therefore considered the implications of this below.

Main Issues

4. The main issues are:
 - whether or not the proposal satisfies the requirements of Class A, of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO") with regard to being permitted development; and
 - if so, the effect of the proposed development on the living conditions of the occupiers of Nos 28 and 32 Burns Way in terms of light and outlook.

Reasons

5. Subject to limitations, Class A of Part 1 of Schedule 2 of the GPDO states that the enlargement, improvement or other alteration to a dwellinghouse is permitted development. Paragraph A.4(2)(b) states that it is a condition of the permitted development that before beginning the development the developer must provide to the local planning authority a plan indicating the site and showing the proposed development.
6. As explained above, the plan provided by the appellant incorrectly identifies the appeal site at No 32 rather than No 30. The proposal does not therefore meet a fundamental conditional requirement of the permitted development right. This perhaps explains the confusion in the property numbering in the Council's officer report, which alleges harm to the living conditions of the occupants at No 30, which is the appeal site.
7. I fully sympathise that this will be both frustrating and disappointing to the appellant. However, in these circumstances, it would not be appropriate for me to consider the effect of the proposed development on the living conditions of the occupiers of any adjoining premises if the wrong site has been identified.
8. I therefore conclude that the proposal does not satisfy the requirements of the GPDO and for this reason the appeal is dismissed.

Richard S Jones

INSPECTOR