



Appeal Decision

Site visit made on 12 November 2019

by S Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 18th November 2019

Appeal Ref: APP/F5540/D/19/3235335

49 Thorncliffe Road, Southall UB2 5RL

- 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 Surbir Khaneja against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01120/49/PA2, dated 26 June 2019, was refused by notice dated 19 July 2019.
 - The development proposed is ground floor rear extension 6.0 metres deep, maximum height of 3.0 metres, 3.0 metres high to the eaves.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has an alternative Ref of PA/2019/2378 which also seems to apply to this case. For consistency I have used the Ref stated on the Council's decision notice. The proposal is described more succinctly on the planning application form. The description of development on the Council's decision notice more fully describes the proposal so I have adopted it for this appeal. Although the address is given on the application form as Thorncliff elsewhere the address is referred to as Thorncliffe. I have used the latter for this appeal.
3. Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015, as amended grants permitted development rights for a single storey extension that extends up to 6 metres beyond the rear wall of an original semi-detached dwelling house subject to a prior approval process. Objections were received and the Council determined that prior approval was required; it was refused.

Main Issue

4. The main issue is the effect of the proposed extension on the living conditions of occupiers of the adjoining property, No 51 Thorncliffe Road, taking particular account of outlook and light.

Reasons

5. The appeal property is one of a pair of semi-detached houses and is attached to No 51. The proposed 6m flat roofed extension would be sited alongside the shared boundary. No 51 has a single storey rear extension some 3.7m long. Its side wall forms part of the shared boundary. Beyond this is a section of fence

- with trellis and then fence some 1.8m high. The neighbour's ground floor window can be seen from the appeal site through the trellis.
6. Policy SC7 of the Hounslow Local Plan Volume One 2015 (the LP) requires residential extensions to minimise harm to neighbouring residents by avoiding an unacceptable loss of daylight/sunlight, outlook or creating an unacceptable sense of enclosure. Policy CC2 expects development to have a positive impact on the amenity of current and future residents. Policy CC1 seeks good design that respects the character of the local area. The Residential Extensions Guidelines 2017 (the REG) indicates that for semi-detached houses a single storey rear extension not exceeding 3.65m from the original wall of the house would help prevent unacceptable enclosure and blocking of daylight and sunlight for neighbours.
 7. The proposed extension would be three metres high with a flat roof. It would project some 2.25m beyond the neighbour's extension. The proposed extension would overshadow that portion of the rear garden close to it to some extent and would be clearly visible when seen from No 51. Due to its height, length and position I conclude it would have an over-dominating effect and be visually intrusive when viewed from the windows and garden of No 51. This would create a gloomier and more oppressive outlook for existing and future occupiers of No 51. It would not amount to good design.
 8. I acknowledge that a 2m high fence could be erected on the boundary without planning permission but such a fence would be much lower than the extension proposed. I have also taken into account the conclusions of a colleague Inspector who allowed appeal Ref APP/F5540/D/18/3204629. However, in that case the proposed extension, although being higher nearer to the host property, reduced in height to some 2.45m. It would therefore have a less enclosing effect beyond the neighbour's extension unlike in the case before me. The Government has made provision for permitted development rights for some 6m long rear extensions, but has also made specific provision for the effects on the living conditions to be assessed. None of these matters lead me to any different conclusion in respect of the appeal before me.
 9. For the reasons set out above I conclude that the proposed extension would have a harmful effect on the living conditions of occupiers of the adjoining property No 51 Thorncliffe Road, in respect of outlook and light. Accordingly, in not minimising the effect on neighbouring residents, it would conflict with Policies SC7, CC1 and CC2 of the LP and the REG.

Conclusion

10. For the reasons set out above the appeal is dismissed.

S Harley

INSPECTOR