



Appeal Decision

Site visit made on 10 June 2020

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2020

Appeal Ref: APP/F5540/D/19/3244083

62 Harlington Road East, Feltham TW13 5BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended).
 - The appeal is made by Mr Mario Montana against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00560/62/PA1, dated 20 October 2019, was refused by notice dated 2 December 2019.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("The GPDO") for a single storey rear extension, at 62 Harlington Road East, Feltham TW13 5BN, in accordance with the application Ref 00560/62/PA1, made on 20 October 2019, and the details submitted with it, pursuant to Schedule 2, Part 1, Paragraph A.4 (2) of The GPDO.

Procedural Matter

2. The description of development used in the heading and decision above has been taken from the application form. The Council's Decision Notice and the Appeal Form both use a different description, but I have not been provided with confirmation that either of these amended descriptions have been agreed by both parties. Accordingly, I have taken the description from the original application form. I consider that no party is prejudiced through the use of this description.

Main Issue

3. Article 3(1) and Section A.4(7) of Class A of Part 1 of Schedule 2 of The GPDO, require the local planning authority to assess the impact of the proposed development on the amenity of any adjoining premises, taking into account any representations received. My determination of this appeal has been made on the same basis.

Reasons

4. The appeal property is a semi-detached dwelling in a street of similar houses that feature deep gardens to the rear. The dwelling at the appeal site has not been extended to the rear but the attached dwelling of 60 Harlington Road East

features a single storey rear extension. The proposed development entails the erection of a single storey rear extension that would project 6 metres from the back wall of the appeal property and have a roof built to a height of 3 metres.

5. The depth of the extension, its positioning in close proximity to the boundary fence and its height relative to that fence would lead to the rearmost part of the extension being visible from within the neighbouring dwelling of 60 Harlington Road East and its garden, which reduces in width to the rear. However, the presence of the single storey rear extension at that property, significantly reduces the extent to which the proposed extension would project beyond the rear of the neighbouring dwelling. Therefore, the extension would not prevent the occupiers of the neighbouring dwelling having a reasonable outlook down the rear garden, would not cause an overbearing sense of enclosure and would not significantly undermine the enjoyment of the garden of that property.
6. In terms of light, due to the orientation of the rear elevation of the neighbouring dwelling of 60 Harlington Road East and the path of the sun, the ground floor windows at the rear of that dwelling would currently receive direct sunlight in the morning. Therefore, as the proposed extension would be to the south and south-east of the windows within that extension, it would have some effect on the sunlight received within the neighbouring property. However, as this effect would occur when the sun is at its highest and only for a short period of the day, I find that the effect of shadowing caused by the proposed extension would be limited and would not cause an unacceptable reduction of living conditions within the neighbouring dwelling. Moreover, as the adjacent part of the neighbouring property would retain an open aspect to the rear, it would continue to receive adequate levels of daylight to the ground floor windows.
7. Policies CC1, CC2 and SC7 of the Hounslow Local Plan¹ (HLP) require development to be of high quality and minimise any harm to neighbouring residents. Similarly, the Council's Residential Extension Guidelines² (The REGS) seeks to limit the depth of extensions to semi-detached dwellings to 3.65 metres in order to protect the living conditions of neighbouring residents. In this regard, due to the presence of the extension at the neighbouring property, I find that the relationship between the proposed extension and the rear of the neighbouring property would be comparable to the relationship that is envisaged to be acceptable by The REGS. Accordingly, having regard to the proposal and the context of the site, the policies of the HLP and The REGS do not lead me to conclude that the development would have an unacceptable effect on the living conditions of the occupiers of the neighbouring dwelling.
8. Due to the separation distance between the proposed extension and all other dwellings that are in close proximity to the site, the proposal would have no harmful effects on the living conditions of the occupiers of those properties.

Other Matter

9. It has been brought to my attention that undertaking the extension as proposed may involve works to the existing rear extension at the neighbouring

¹ London Borough of Hounslow Local Plan 2015-2030 (Adopted 15 September 2015)

² London Borough of Hounslow Residential Extension Guidelines Supplementary Planning Document – A Guide for Householders (Adopted 20 December 2017)

dwelling. However, this is a matter for the relevant landowners to address and falls outside the scope of my considerations.

Conclusion

10. For the reasons set out above, I conclude that the proposed extension would not have an unacceptable impact on the amenity of any adjoining premises and it follows that the appeal should be allowed and prior approval granted.

Ian Harrison

INSPECTOR