



Appeal Decision

Site visit made on 28 September 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2020

Appeal Ref: APP/F5540/D/20/3254510 80 North Drive, Hounslow TW3 1PU

- 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 Naveed Sheikh against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00812/80/PA1, dated 21 May 2020, was refused by notice dated 15 June 2020.
 - The development proposed is described as 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, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO) for a 'single storey rear extension' at 80 North Drive, Hounslow TW3 1PU in accordance with the application Ref 00812/80/PA1, dated 21 May 2020, and the details submitted with it including Drawing Nos MD/6024-01/MT Rev A, MD/6024-02/MT Rev A, MD/6024-03/MT Rev A and MD/6024-04/MT Rev A, pursuant to Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4(2).

Procedural matters

2. Whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 1, Class A of the GPDO can only be considered in accordance with Part 1, paragraph A.4(3) and the parties have raised different matters.
3. The provisions of the GPDO, under Article 3(1) and Schedule 2, Part 1, Class A, Part A.4(7) require the local planning authority to assess the proposed development solely on the basis of its impact 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.

Main Issue

4. Therefore, the main issue in this appeal is the impact of the proposed development on the amenity of adjoining premises with particular regard to outlook.

Reasons

5. The appeal property is a two-storey terraced dwelling with accommodation in the roof. To the rear, the property has a private garden enclosed by timber fencing to the sides and an outbuilding at the back. From my site inspection I noted that the conservatory detailed on the plans had been demolished. To the north and south of the appeal site the neighbouring properties have single-storey, flat-roof extensions with lean-to canopies. The proposal would project beyond both neighbouring extensions, approximately level with the ends of the lean-to canopies.
6. This is an appeal against the decision to refuse to grant approval under the GPDO. This does not place any statutory requirement to have regard to the development plan or other local guidance. Nonetheless, insofar as relevant to the matter before me I have had regard to Policies CC2 and SC7 of the London Borough of Hounslow Local Plan 2015-2030 Volume One; and the associated guidance within the London Borough of Hounslow, Residential Extension Guidelines, Supplementary Planning Document, A Guide for Householders, Adopted 20 December 2017; as referenced within the Council's Decision Notice. These seek, amongst other aims, to ensure high-quality design that minimises harm to neighbouring residents.
7. The proposal would overlap both the adjoining neighbours by a similar amount as their flat roof extensions currently overlap the rear of the appeal property. It would overlap less than the neighbouring canopies currently do. Whilst the proposal would project further than the maximum depths for single-storey extensions set out in the SPD at Section 4.3, that does not make any allowance for the site context, including the neighbouring development. The site context is a significant material consideration and substantially mitigates the depth of the proposal. To the north, the neighbouring dwelling is angled slightly towards the proposal, but that would be mitigated by the slight separation between the houses. As such, and given the existing boundary fences, the proposal would have a minimal impact on the outlook from the rear of both adjoining properties.
8. Furthermore, I have had regard to the representations received from the occupants of No 78 and in particular their concern over loss of light. However, given the relative orientation of the proposal to their property no significant loss of light would be experienced. I have also had regard to the personal circumstances that they present. However, even making allowance for these, I do not find that the proposal would prejudice their quality of life.
9. Therefore, in conclusion on the main issue the proposed development would not harm the amenity of adjoining premises with particular regard to outlook. For the reasons given above I conclude that the appeal should be allowed, and prior approval should be granted.

James Taylor

INSPECTOR