

Appeal Decision

Site visit made on 20 October 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2020

Appeal Ref: APP/F5540/D/20/3247366

298 Hounslow Road, Hanworth, Feltham TW13 5JW

- 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 Ramesh Kumar Jaiswal against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00632/298/PA2, dated 4 November 2019, was refused by notice dated 17 December 2019.
 - The development proposed is a single storey six-metre 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) for a single storey six-metre rear extension at 298 Hounslow Road, Feltham TW13 5JW in accordance with the application 00632/298/PA2 made on 4 November 2019, and the details submitted with it including plan nos Location Plan, Site Plan and SLJCS/2019/298HR-1 Rev A, pursuant to Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4(2).

Procedural Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended ('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 representations received. I have determined the appeal on the same basis.

Main Issue

3. The main issue is the effect of the proposal on the amenity of the occupiers of 296 and 300 Hounslow Road with particular regard to outlook, light and whether or not it would be overbearing.

Reasons

4. The appeal proposes an extension in place of an existing lean-to structure to the rear of the mid-terrace appeal dwelling. At around 6m, the depth of the extension would exceed the recommended maximum of 3.05m for terraced properties within the Residential Extensions Guidelines Supplementary Planning

Document 2017 ('the SPD'). It would also be built across the width of the dwelling to adjoin the boundaries of 296 and 300 Hounslow Road.

5. However, both of these neighbouring dwellings have existing rear projections. The extension to the appeal dwelling would be of greater depth, and would be visible from the neighbouring windows and gardens, including from within the open-sided pergola structure which extends from the rear of No 296. Nevertheless, its projection beyond the rear of these dwellings would be fairly small and would accord with the SPD guideline. The extension's maximum height would not be excessive, and would additionally reduce towards the deepest part as a result of the sloping roof to the rear section. This would further lessen the visual impact of the development beyond the rear of the attached dwellings. Given these factors, I am satisfied that the neighbouring occupiers would still enjoy a reasonably bright and open aspect to their rear, and the development would not be overbearing or cause unacceptable loss of light or privacy.
6. There is an inset section to the rear projection at No 300 which includes a window facing the appeal site. An interested party has raised concern over loss of light to the bathroom which is served by the window. However, it is not a habitable room, and while I note the circumstances of the occupier, effect on light would not therefore result in harm to living conditions so as to warrant dismissal of the appeal. Moreover, there would be a comparable effect from even a smaller extension in accordance with the provisions of the GPDO where prior approval is not required.
7. Despite a technical breach of the advice within the SPD, for these reasons I conclude that the proposal would not cause unacceptable harm to the amenity of neighbouring occupiers. Insofar as they relate to the prior approval matter of amenity, I therefore find no conflict with Policies CC2 or SC7 of the Local Plan which seek to ensure that the amenity of neighbouring residents is not harmed.

Other Matters

8. An interested party has raised concern that the depth of the extension would not be in line with or harmonise with neighbouring properties. However, matters of character do not relate to an assessment of amenity, and do not therefore fall to me to determine under the provisions of the GPDO described above.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

Conditions

10. Development permitted by virtue of Article 3(1) and Schedule 2, Part 1, Class A of the GPDO is subject to conditions which specify that the development shall be carried out in accordance with the approved details, and that the materials used in any exterior work, other than in the construction of a conservatory, shall be of a similar appearance to those used in the construction of the exterior of the existing dwelling.

J Bowyer

INSPECTOR