



Appeal Decision

Site visit made on 13 October 2020

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 19 November 2020

Appeal Ref: APP/F5540/D/19/3243121

78 Jersey Road, Hounslow TW5 0TX

- 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 S Sangha against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00647/78/PA1, dated 12 August 2019, was refused by notice dated 19 September 2019.
 - The development proposed is a ground floor rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Under 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), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions.
3. Paragraph A.4(7) to Part 1 requires the local planning authority to assess the impact of the proposed development on the amenity of all adjoining premises, taking into account any representations received.
4. For the appeal site, details of a granted Certificate of Lawful Development, for a rear extension and detached outbuilding to be used as a shed/garage, were submitted during the appeal upon request and have been considered in this decision.

Main Issue

5. The main issue in this appeal is whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 1, Class A of the GPDO and the impact of the proposed development on the amenity of adjoining property with regard to outlook and light.

Reasons

6. The appeal site comprises a semi detached house which has a flat roofed outbuilding at the bottom of its garden. The property shares a common boundary fence with a neighbouring semi detached dwelling at 80 Jersey Road which has not been extended to the rear. The garden of this neighbouring

property is modest in size, with its width just greater than that of the dwelling. The proposed rear single storey extension would be sited alongside the common boundary with this neighbouring dwelling.

7. In so far as setting out material relevant to assessing the impact of extensions on the amenity of adjacent properties, the Hounslow Local Plan 2015-2030 Policy SC7 indicates that proposals should preserve the amenities of neighbouring properties, stating that development should reflect the Council's adopted Residential Extension Guidelines (2017). The Guidelines amplify the policy in setting out a maximum extension depth of 3.65 metres for single storey extensions to semi-detached houses which the proposal would comply with.
8. However, the depth of the proposed extension, approximately 3.6m, in combination with the depth of the existing outbuilding, would result in a significant extent of building along the side common boundary with the neighbouring property at No. 80. In this regard, the extension would cumulatively result in at least half of the boundary length being dominated by built development. Such built development would be at a height greater than the permitted boundary fence of approximately 2m. In particular, the proposed rear extension would have a substantial extent of facing brickwork above this, given its eaves height of 2.9m. For all these reasons, there would be an adverse loss of outlook to the occupiers of this neighbouring dwelling.
9. Despite the height of a permitted boundary fence, the extension would also result in the loss of sunlight to the garden of the neighbouring property at No 80. The appeal property lies to the south of No 80 so the impact around midday would be significant in winter when the sun is positioned lower in the sky. Given the existence of the outbuilding at the appeal property, the new extension would have a cumulative adverse impact in terms of the loss of sunlight. In terms of ambient light, there would be significant unobstructed sources to ensure adequate levels but this does not overcome the identified adverse loss of outlook and sunlight to the occupiers of the neighbouring property.
10. Foundations have been laid in respect of the single storey extension and there is approval for such an extension under the Certificate of Lawful Development. However, this extension was smaller in size than that proposed here, measuring 3m in depth and with a mono-pitched roof sloping down from approximately 3.6m to approximately 2.6m. Therefore, it would have less expanse of brickwork and a differently configured shape above the common fence boundary if it was built. Consequently, there are material differences between the two proposed extensions and the impact of the extension granted under the certificate would have been significantly less. Accordingly, the weight to be given to this fallback position would be limited.
11. At 82 Jersey Road, there is an outbuilding and a conservatory which lie adjacent to the other common side boundary of No 80. Here, the cumulative built extent along this boundary is greater than what would occur with the proposed extension and existing outbuilding on No 80's other common side boundary. However, this demonstrates to me that the occupiers of No 80 are already hemmed in significantly by neighbouring development and the harm that would arise as a result of the proposed extension.

12. At 76 Jersey Road, there has been a single storey extension built alongside the rear garden of the appeal property. The planning officer's report indicates that its depth to be 6m and its maximum height to be 3m, with a roof eaves height of 2.7m. The size of the appeal proposal would be smaller but the issue before me is the cumulative impact of the extension. Based on what I saw on site, this would not have been the case in considering any type of approval for this extension. In any case, every proposal has to be considered on its own particular merits and for the reasons indicated, the proposed extension at the appeal property would adversely affect the living conditions of the occupiers at No 80. As to whether the extension at No 76 has been built in accordance with the approved plans, this is a matter between the appellant and the Council.
13. There have been other extensions built at 74 Jersey Road and 2 Alderney Avenue. However, invariably, proposals will differ from one another and their site circumstances as has been demonstrated in the findings on the extensions at Nos 82 and 76. At 74 Jersey Road, the rear extension would be alongside that now built at No 76. At 2 Alderney Avenue, the two storey extension is set in from the boundaries of the property whilst the single storey extension would not project as far behind the neighbouring property as that before me here. For all these reasons, these other developments would not establish a precedent for the proposal before me which has been considered on its particular planning merits. Individually and combined, these considerations would not outweigh the unacceptability of the proposal.
14. For all these reasons, there would be harm to the amenity of a neighbouring property at 80 Jersey Road, having regard to outlook and sunlight. For the reasons given above, it is concluded that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR