



Appeal Decision

Site visit made on 10 November 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2020

Appeal Ref: APP/F5540/D/20/3249288

5 Albert Road, Hounslow TW3 3RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Charman against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00016/5/P1, dated 23 October 2019, was refused by notice dated 27 January 2020.
 - The development proposed is erection of part single / part double storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of part single / part double storey rear extension at 5 Albert Road, Hounslow TW3 3RW in accordance with the terms of the application, Ref 00016/5/P1, dated 23 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the walls and roofs of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: FLU.1036.01 Rev B; FLU.1036.02; FLU.1036.03; FLU.1036.04 Rev C; FLU.1036.05 Rev C; and, FLU.1036.06 Rev B.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional ground floor windows shall be inserted on the south-western side wall (facing No 7 Albert Road) of the development hereby permitted.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of Nos 3 and 7 Albert Road, with particular regard to outlook, daylight and sunlight.

Reasons

3. The rear part of No 7 Albert Road is 'L-shaped'. The ground floor living room is served by rear-facing patio doors in the recessed area. There is also a ground

floor primary habitable window in the side wall of the rear projection, which is set-in from the boundary with the appeal site.

4. The ground floor part of the proposed extension, at around 5.2 metres deep, would exceed the maximum guidance depth of 4.25 metres set out in Section 4.3 of the Council's Residential Extension Guidelines Supplementary Planning Document 2017 (the SPD). Nevertheless, it would have a modest eaves height of about 2.5 metres and the pitched roof would rise away from the boundary with No 7, which would minimise the visual impact on the neighbouring property. Furthermore, whilst the depth of the proposed 2 storey extension, at around 3.85 metres, would exceed the SPD maximum guidance depth of 2.5 metres, it would maintain a large separation to the boundary. Taking these factors together, the combined effect of the ground floor and first floor parts of the proposal would not cause a significant loss of daylight, sunlight or outlook to the habitable rooms of No 7.
5. Moreover, given that the proposal would not extend beyond the existing rear extension of No 7, it would have minimal impact on the main garden area of the neighbouring property.
6. The proposal would extend only a small distance beyond the ground floor extension of No 3 Albert Road and so it would not cause a significant loss of daylight, sunlight or outlook to the ground floor habitable rooms or garden of the neighbouring property.
7. The proposed 2 storey extension would project beyond the nearest first floor rear habitable window of No 3. There would be some degree of enclosure of the neighbouring window due to its position between the existing 2 storey extension of that property and the appeal scheme. Nevertheless, the proposed extension would maintain a gap to the boundary, which, together with the elevated first floor position of the adjacent window, would ensure that the proposal would not cause a significant loss of daylight, sunlight or outlook to the neighbouring habitable room.
8. For these reasons, I conclude that the proposed development would not cause significant harm to the living conditions of the occupiers of Nos 3 and 7 Albert Road. The proposal would therefore comply with Policies CC2 and SC7 of the London Borough of Hounslow Local Plan Volume 1 2015 – 2030, which, amongst other things, seek to minimise harm to neighbouring residents through high quality design. Although the proposal would fail to comply with certain specific guidance within the SPD, it would not conflict with its underlying aims to prevent a detrimental effect to neighbouring residents.

Conditions

9. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of certainty.
10. In order to maintain the character and appearance of the area, I have imposed a condition requiring the external surfaces of the walls and roofs to be finished in materials to match those used in the existing building. Furthermore, I have attached a condition to remove permitted development rights for the insertion of additional windows in the south-western side wall of the proposed extension. This is to protect the privacy of the occupiers of No 7 Albert Road.

Conclusion

11. For the above reasons, I conclude that the appeal should be allowed.

C Osgathorp

INSPECTOR