The Planning Inspectorate

Appeal Decision

Site Visit made on 5 January 2021

by R E Jones BSc (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal Ref: APP/F5540/D/20/3259661
212 High Street, Feltham TW13 4HX

- 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 Paul Nowakowski against the decision of London Borough of Hounslow.
- The application Ref 00609/212/P5, dated 9 July 2020, was refused by notice dated 8 September 2020.
- The development proposed is single storey rear extension.

Decision

1. The appeal is allowed, and planning permission is granted for a single storey rear extension at 212 High Street, Feltham TW13 4HX in accordance with the terms of the application, Ref 00609/212/P5, dated 9 July 2020, 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 development hereby permitted shall be carried out in accordance with the following approved drawing: P1.

    3) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.

Application for costs

2. An application for costs was made by Mr Paul Nowakowski against the London Borough of Hounslow. This application is the subject of a separate Decision.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on: (i) the living conditions of occupiers at No 210 High Street (No 210), with particular reference to outlook, daylight and sunlight; and (ii) the character and appearance of the area.

Reasons

Living conditions

4. The appeal dwelling and the adjoining terrace property at No 210, each have a single storey flat roof addition extending from the rear. The proposed extension would project some 2.8m from the existing rear addition and by roughly the

same amount beyond the rear wall of the dwelling at No 210. It would be constructed flush with the short boundary wall between the properties and have a height of around 2.6m.

5. No 210 has a wide rear kitchen window close to the boundary with the appeal property, but set in from it somewhat. This window has a bright and open aspect facing a rear garden. With its greater depth, the upper half of the proposed extension would be visible from within the neighbouring kitchen and rear garden. Nevertheless, the proposed extension's projection beyond No 210 would be fairly small, while its maximum height would not be excessive. Given these factors, the neighbouring kitchen window and rear garden, would not be unacceptably enclosed and would therefore continue to have an acceptable outlook.

6. The north westerly aspect of No 210's rear garden and kitchen window would likely result in some marginal loss of early morning direct sunlight. Yet, this would not be significant as the effect would occur when the sun is at its lowest and only for a short period of the day. In terms of daylight, the kitchen window's width would ensure it would continue to capture adequate levels of daylight following the construction of the proposed extension. Consequently, I consider that the proposal would not lead to an unacceptable loss of daylight or sunlight at No 210.

7. The Council's Supplementary Planning Document relating to residential extensions[1] (the SPD) seeks to limit the depth of extensions to terrace dwellings to 3.05 metres in order to protect the living conditions of neighbouring residents. The SPD goes on to explain that this is to prevent unacceptable enclosure and block daylight and sunlight received by neighbours. The proposal exceeds the depth from the rear wall of the original house, advised by the SPD. However, 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 SPD.

8. Even though the proposed extension does not meet the exact technical guidance outlined in the SPD, the specific circumstances of this appeal mean that I have not found there to be any harm to the living conditions of occupiers of No 210 High Street, with particular reference to outlook, daylight and sunlight. The proposed extension would still comply with the overall aims of Policies CC2 and SC7 of the London Borough of Hounslow Local Plan - Volume 1 (2015-2030) (Local Plan) and the SPD, which amongst other things, require that proposals, ensure that neighbours receive no unacceptable loss to their amenities.

Character and appearance

9. The proposal would be longer than neighbouring extensions, yet not excessively so, while its flat roof design and modest height would ensure that it would not appear as a prominent structure, when viewed from the neighbouring windows and garden areas of the adjoining neighbours. The proposal's appearance in the context of the wider area would be obscured somewhat by existing boundary enclosures and garden trees, such that it

[1] Residential Extension Guidelines – Supplementary Planning Document – A Guide for Householders, Adopted 20th December 2017

would not particularly draw the eye or stand out as a visually detracting addition, when viewed from the rear of other properties along High Street.

10. Consequently, the proposed development would have an acceptable effect on the area. It would comply with Policies CC1, CC2 and SC7 of the Local Plan and the SPD. Jointly, these require that proposals, amongst other things, do not harm the character and appearance of their context.

Other Matters

11. I note the neighbouring property's concerns in relation to building foundations and the potential loss in the value of their property. However, these are matters that do not form part of my consideration of this appeal.

Conditions

12. In addition to the standard time limit condition I have considered it necessary to include a schedule of plans that the development relates to, for the avoidance of doubt and in the interests of certainty. A condition relating to the construction of the extension in materials to match the existing dwelling is necessary to safeguard the character and appearance of the area.

Conclusion

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

R E Jones

INSPECTOR