
Appeal Decision

Site visit made on 10 August 2021

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th August 2021

Appeal Ref: APP/F5540/D/21/3272845

32 Burnham Gardens, Hounslow TW4 6LR

- 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 K Singh against the decision of the Council of the London Borough of Hounslow.
 - The application Ref: 00181/32/P2, dated 3 December 2020, was refused by notice dated 10 March 2021.
 - The development is a single storey rear extension and front porch.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and front porch at 32 Burnham Gardens, Hounslow TW4 6LR in accordance with the terms of the application, Ref: 00181/32/P2, dated 3 December 2020, and the plans numbered SD32/PL 01 Rev B, SD32/PL 02 Rev B, SD32/PL 03 Rev B and SD32/PL 04 Rev B.

Procedural Matters

2. The development has already been carried out and, therefore, I have dealt with the appeal on a retrospective basis.
3. The Council's reasons for refusal include reference to the National Planning Policy Framework (Framework). A revised version of the Framework has been published since the Council's decision which the main parties were given the opportunity to comment upon during the appeal. I have considered this matter in my decision.

Main Issues

4. The main issues are the effect of the rear extension on (i) the living conditions of the occupiers of 30 Burnham Gardens (No 30) by way of light, outlook and visual impact; and (ii) the character and appearance of the area.

Reasons

Living Conditions

5. The appeal property comprises an end of terrace house that has been the subject of renovation and extensions. The rear extension is a single storey flat roofed structure that projects alongside the common boundary with the neighbouring property at No 30. The extension also features an overhang. No

- 30 has its own rear extension which consists of a lean to structure and then a supported open canopy.
6. Both extensions are of a similar overall depth. There are not solid walls on the canopy, but as the side facing the appeal property's rear extension also faces the common boundary at a close proximity there would be an expectation of some degree of enclosure. The relationship does not result in an undue effect in this regard. The height of the rear extension is also not significantly greater than No 30's canopy. It does not cause untoward loss of light due to the similar depths and with its fairly modest height.
 7. The main outlook is from the rear of No 30's canopy over its own garden and not towards the appeal property's rear extension. Hence, the outlook is largely unaffected. With the proportions of the rear extension and its relationship with No 30, it does not result in an overbearing presence.
 8. The depth of the rear extension does not strictly conform to the maximum distance that the Council's Residential Extension Guidelines Supplementary Planning Document (2017) (SPD) applies to terraced properties. However, the SPD acknowledges that every property is slightly different and this is part of the consideration of a scheme. In these terms, the rear extension does not cause unacceptable enclosure and block daylight and sunlight received by neighbours to the extent that it is at risk of being refused. The beneficial use of the canopy by the occupiers of No 30 is not vulnerable to a loss of living conditions that result from the rear extension. Significant harm does not arise.
 9. I conclude that the rear extension does not have an unacceptable effect on the living conditions of the occupiers of No 30 by way of light, outlook and visual impact. As such, it complies with Policies CC1, CC2 and SC7 of the Council's Local Plan 2015-2030 (2015) (Local Plan) where they are concerned with context and design as regards living conditions matters, including minimising harm to neighbouring residents, such as avoiding an unacceptable loss of daylight, sunlight, outlook or by creating an unacceptable sense of enclosure.
 10. The rear extension also complies with the SPD in overall terms, where it sets out the need to prevent an extension harming the neighbours' living conditions. It also accords with the Framework where it is concerned with a high standard of amenity for existing and future users.

Character and Appearance

11. The rears of the terraced properties on this side of Burnham Gardens contain various forms of single storey extensions, some of which project out similar distances to the appeal property's rear extension. Its scale and design does not thus appear out of character, including how it is viewed from the neighbouring residential properties.
12. Between the appeal property and the start of the next terrace, there is a gated alleyway. The views of the rear extension down the alleyway from the streetscene are of a limited nature. The side wall and roof are marginally in view and are well set back from the road. The larger front and side of the appeal property is considerably more apparent than the rear extension. There is a lack of a discernible effect on the streetscene.
13. The SPD looks for such an extension to be secondary to the original house. Within this context, the depth of the rear extension needs to be considered

with its modest height. As it is viewed from the rear of the appeal site, it is clearly subservient to the original house. The extent of the roof overhang does not alter its subordinate appearance. Harm does not arise in this instance.

14. I conclude that the rear extension does not have an unacceptable effect on the character and appearance of the area. As a result, it complies with Policies CC2 and SC7 of the Local Plan where they are concerned with development responding meaningfully and sensitively to the site, its characteristics and constraints; and development proposals to complement the original building, harmonise with adjoining properties and maintain the character of the general streetscene, and be subordinate to the existing building, amongst other considerations. It also complies with the SPD where it sets out the need to prevent an extension harming the character of the house and local area.
15. Paragraph 134 of the Framework concerns refusing development that is not well designed, taking into account any local design guidance and supplementary planning documents such as design guides and codes. The SPD is of relevance in this respect. I find overall compliance with the SPD for the reasons that I have set out and so the development complies with paragraph 134.

Other Matters

16. The porch is not a matter of dispute between the main parties. The Planning Officer Report states that it has a reasonable depth, width and height, and appears subservient to the main house. I see no reason to disagree and it is not unacceptable. Whilst I have also been made aware of the other extensions and alterations that have taken place to the appeal property, they are not for my consideration and so are not the subject of my decision.
17. Both the rear extension and the porch are complete externally and hence there is not a need to apply a condition by way of the external surfaces of the development. It is also unnecessary to impose an approved plans condition. The plans are referred to in my decision paragraph.

Conclusion

18. For the reasons set out above and having regard to all matters that have been raised, the appeal should be allowed.

Darren Hendley

INSPECTOR