



Appeal Decision

Site visit made on 11 January 2022

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18TH January 2022

Appeal Ref: APP/F5540/D/21/3281450

27 Rochester Avenue, Feltham TW13 4EA

- 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 D Collison against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00952/27/P1, dated 9 June 2021, was refused by notice dated 23 July 2021.
 - The development proposed is described as a 'single storey rear extension (retention)'.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 27 Rochester Avenue, Feltham TW13 4EA in accordance with the terms of the application Ref: 00952/27/P1, dated 9 June 2021.

Procedural Matter

2. The extension is already in place. I have therefore dealt with this appeal on the basis of the retention of the existing development.

Main Issue

3. The main issue is the effect of the development on adjacent occupiers' living conditions.

Reasons

Living conditions

4. The Council's Residential Extension Guidelines Supplementary Planning Document 2017 ('SPD') sets out that, whilst proposals will be considered on their merits, in order to protect neighbours' living conditions, single storey rear extensions should not extend more than 3.05m from the original rear wall of a terraced house.
5. According to the 'ground floor plan - existing and proposed' this extension projects 3.9m from the rear wall of the original house, although a local resident claims it is slightly deeper. In any event, its depth, which I observed on my visit, exceeds the numeric standard in the SPD. Its side walls abut the boundaries with the attached properties at No 29 and No 25.
6. No 29 has not been extended to the rear. Its nearest ground floor window serves a kitchen. Whilst the scheme is clearly visible to the side from there, its height and scale are limited by its low, flat-roofed form. No 29's patio door

and associated windows are further from the boundary, and the principal outlook from those openings down that property's long rear garden has not been significantly impacted. Additionally, the scheme's light rendered finish assists in reducing its perceived bulk, and helps to reflect natural light.

7. Consequently, the scheme has not caused a significant degree of overbearance or enclosure to those adjoining occupiers and, notwithstanding No 29's location to the north of the host, I have no cogent evidence to conclude that it has caused a significant loss of light. As 25 Rochester Avenue has a ground floor rear extension, the impact on those occupiers is much less.
8. In summary, whilst the scheme's depth does not accord with the numeric guidance in the SPD, having considered it on its merits, it has not impacted the adjacent occupiers' living conditions to a harmful degree. The scheme does not therefore conflict with those parts of Hounslow Local Plan 2015-2030 (2015) Policies CC1, CC2 and SC7 which, in broad terms, require development to respond to its context, minimise harm to neighbouring residents, provide an adequate outlook and sufficient sunlight and daylight, minimise overbearing impacts, and to have regard to the SPD.

Other matters

9. Although it is said that noisy construction took place at anti-social hours, given that the development is in place, this is beyond my control. I have no substantive evidence concerning alleged property damage or encroachment, fire safety, or obstruction of a Thames Water asset; nor that these matters cannot be addressed under separate legal rights.
10. The Council has confirmed that the property can be used as a small House in Multiple Occupation without the need for planning permission. I have no means to control who the occupants will be, but I have no reason to conclude that reasonable domestic use of the premises would compromise the safety of nearby residents. In a relatively accessible location such as this, the occupants may not have a private car, or contribute significantly to on-street parking pressures.
11. Finally, accessibility to the rear garden has not changed markedly as a result of this scheme, and I have no reason to conclude that it will exacerbate any rodent problem.

Conclusion

12. Summing up, notwithstanding the numerical conflict with the advice in the SPD, having considered the scheme on its merits, it does not impact adjacent occupiers' living conditions to a harmful degree. It does not conflict with the development plan and the appeal will therefore be allowed. Although the Council has suggested a condition requiring that the development be carried out in accordance with the approved drawings, as it is already in place, that is unnecessary.
13. For the above reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR