



Appeal Decision

Site visit made on 2 February 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 7TH FMarch 2022

Appeal Ref: APP/F5540/D/21/3286887

29 Hereford Road, Feltham TW13 5BU

- 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. Zaied Khan against the decision of the London Borough of Hounslow.
 - The application Ref 00597/29/P3, dated 12 July 2021, was refused by notice dated 7 September 2021.
 - The development proposed is described as the demolition of existing extension and conservatory and erection of a single storey rear and side wrap around extension.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing extension and conservatory and erection of a single storey rear and side wrap around extension; in accordance with the terms of the application Ref: 00597/29/P3, dated 12 July 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
 - Page 1 Existing & Proposed Floor Plans and Elevations, Dated 11th July 2021;
 - Page 2 Existing and proposed Elevations, Dated 11th July 2021;
 - Page 3 Existing and proposed side Elevations, Dated 11th July 2021.
 - 2) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development upon the living conditions of current and future neighbouring occupiers of No.31 Hereford Road as a result of sense of enclosure and access to light.

Reasons

3. No.31 Hereford Road is the direct neighbour to the east of the appeal site and contains a two storey dwelling with single storey rear extensions which covers approximately half the width of the existing dwelling and is set back from the boundary with the appeal site. There is a small paved area further from the single storey rear extension for a formal seating area, with the remainder of

the rear garden laid to lawn. Overall, the rear garden of this neighbouring dwelling is long and wide and experiences a good level of light without large buildings being free from sense of enclosure.

4. I appreciate that the SPD specifies recommended distances of rear extensions of 3.05 metres, however the SPD is guidance for 'common situations' and should be applied to individual circumstances and not be read as statute given different contexts and scenarios can change the way in which living conditions can be affected. In this particular case, the proposed extension would project 1.2 metres past the rear extension of the neighbouring dwelling, however would project a greater distance past the small area to the side of this extension which is more of an access to the larger paved area, rather than a useable space for formal sitting.
5. I agree with the Council that with regards to No.31 Hereford Road that there would be an increase in the sense of enclosure and slight loss of outlook from the increased length and height of the brick wall along the boundary; however I am not convinced that the proposal would be so significant that it would be unacceptable. The formal paved area of No.31 Hereford Road would be largely unaffected given the width and length of the neighbouring plot, together with the positioning of this paved area which is past the rear extension. These factors reduce any perceived sense of enclosure, loss of outlook or 'tunnelling effect' caused by the proposed extension.
6. With regards to the loss of light, given the positioning of the sun, the additional built form would increase the amount of overshadowing to No.31, predominantly in the afternoon, however this would not be to a significant extent.
7. Whilst I consider there to be some increased enclosure and a slight increase in overshadowing, I am not convinced that the loss would be 'unacceptable' as per the London Borough of Hounslow Local Plan (LP) Policies CC2 and SC7, which are supported by the SPD. Taking the above into account, I disagree that the proposed rear extension would result in unacceptable harm to living conditions as a result of loss of light and sense of enclosure. Consequently, and in conclusion of this matter, the proposed scheme is made in accordance with the LP Policies CC2 and SC7 which seeks that extensions do not harm existing living conditions of current and future occupiers; which is supported by the Residential Extensions Guidelines Supplementary Planning Document 2017 (SPD) which gives guidance on appropriate development.

Conclusion and Conditions

8. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed previously.
9. The Council in their Appeal Form response detailed that should the appeal be allowed, that standard conditions regarding time limit, approved plans and materials which match existing be placed on any decision notice. I have considered the conditions as specified in the beginning of this letter in accordance with the Planning Practice Guidance (PPG). Conditions 1 and 2 are standard conditions which set the standard time limit and approved plans which are necessary for the avoidance of doubt and in the interests of proper

planning. Condition 3 seeks that the scheme is constructed in matching materials which is necessary as this condition enables the development to fit in with the character and appearance of the existing dwelling and the locality.

J Somers
INSPECTOR