



Appeal Decision

Site visit made on 26 September 2022 by T Bennett BA (Hons) MSc

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2022

Appeal Ref: APP/F5540/D/22/3300404

116 The Drive, Hounslow, TW3 1PW

- 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 Mrs Rafiq Omar against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00367/116/P5, dated 12 February 2022, was refused by notice dated 9 May 2022.
 - The development proposed is single storey rear extension to dwellinghouse.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension to dwellinghouse at 116 The Drive, Hounslow, TW3 1PW in accordance with the terms of the application, Ref 00367/116/P5, dated 12 February 2022, 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 plans: 01/07 – Rev A and 03/07 – Rev A.
 - 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the neighbouring occupiers at Nos 114 and 118 The Drive (Nos 114 and 118) with a particular regard to outlook, light and enclosure.

Reasons for the Recommendation

4. The appeal property is a semi-detached property with a long rear garden similar to the surrounding properties. The local area is residential in character and there are several other large single storey rear extensions visible from the rear of the appeal site, including the adjoining neighbour at No 114.

5. The building line of the proposed rear extension would extend by approximately 2.8 metres from the existing single storey rear extension, resulting in a 6.6 metre extension. I accept that this would not accord with the 3.65 metre limit set out in the Council's Supplementary Planning Document for Residential Extensions. However, I am mindful that this is guidance only and it is necessary to take account of site specific circumstances, including the presence of neighbouring extensions.
6. From my site visit and the submitted plans, it is clear that the proposal would have a very minimal protrusion beyond the single storey extension at No 114 and consequently it would not cause a material loss of light, reduced outlook or lead to any sense of enclosure for the occupiers of No 114, therefore there would be no undue harm to their living conditions.
7. The proposal would protrude approximately 2.8 metres beyond the rear of the extension at No 118. However, the single storey proposal is set back from the shared boundary with No 118 and considering the pitched roof form, sloping away from the shared boundary and the location of the proposal, sited to the north of No 118, good levels of light would be maintained. For these reasons I am not persuaded that it would cause a material loss of light or that the proposal would be overbearing for the occupiers of No 118.
8. The outlook from the rear door and window of No 118 is principally over the long rear garden. When taking this into account along with the scale of the proposal and that it would not cross a 45-degree line when taken from the nearest habitable window at ground floor level, I find that there would not be a sense of enclosure created nor a loss of outlook for the occupiers of No 118 as a result of the development.
9. In conclusion, the development would not give rise to a material loss of light, outlook or harmful degree of enclosure and thus there would not be a detrimental effect on the living conditions of the neighbouring occupiers. This would be in accordance with Policies CC2 and SC7 of the LP which require, amongst other things, that the amenity of neighbouring residents is not harmed. It would also accord with the overarching aims of the National Planning Policy Framework (2021).
10. The Council have referred to Policy CC1 of the Hounslow Local Plan (2015) (LP) in its reason for refusal. However, this policy relates to the character of new development and as this was not a reason for refusal it is not determinative in the proposal before me. In any case, based on my site visit and from assessing the proposed materials, form, scale and siting of the single storey rear extension I find no issues in relation to the character and appearance of the proposed extension, agreeing with the Council in this regard.

Conditions

11. The Council has provided a list of suggested conditions in their appeal questionnaire that it considers would be appropriate. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. In the interests of the character and appearance of the area, a condition relating to matching materials is also necessary.

Conclusion and Recommendation

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal should be allowed subject to the conditions set out above.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall allow the appeal, subject to the conditions set out above.

Chris Preston

INSPECTOR