



Appeal Decision

Site visit made on 9 January 2024

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 February 2024

Appeal Ref: APP/F5540/D/23/3330494

65 Sutton Road, Hounslow Middlesex TW5 0PN

- 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 Suhail Fakhar against the decision of the London Borough of Hounslow.
 - The application Ref 01096/65/P6, dated 2 June 2023, was refused by notice dated 10 July 2023.
 - The development is for the retention of a single-storey rear canopy.
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Decision

1. The appeal is allowed, and planning permission is granted for a single-storey rear canopy at 65 Sutton Road, Hounslow Middlesex TW5 0PN in accordance with the terms of the application Ref 01096/65/P6 dated 15 February and the submitted plans.

Procedural Matter

2. The canopy is already in place. I have therefore dealt with this appeal as the retention of the existing development.

Main Issues

3. The main issues are the effect of the development on: - i) the living conditions of the occupiers of 67 Sutton Road (No.67) with particular regard to light and outlook; and ii) the effect of the development on the character and appearance of the host property and surrounding area.

Reasons

Relationship with Neighbour

4. The canopy is primarily an open structure with a solid wall to the shared boundary with the other half of the semi-detached pair. Extending off an existing single-storey extension, the combined depth exceeds the guidance within the Council's Residential Extension Guidelines Supplementary Planning Document (SPD) 2017 which indicates a maximum depth of 3.65m for extensions to semi-detached properties. The SPD explains that the purpose of the limitation is to ensure that the extension is secondary to the original house and does not result in an unacceptable enclosure and block light. The SPD is, nonetheless, guidance, and as it notes the circumstances of each site must be considered.

5. No.67 also has a single-storey extension which is deeper than that of the appeal property. The depth of the canopy projecting beyond the neighbour's extension (which the Council calculate as 3.7m) is effectively proportionate to the depth permissible in the SPD guidance. Additionally, as the appellant points out, 6m deep extensions are now allowed under permitted development rights, subject to prior approval.
6. I acknowledge as a result of the increased depth there will have been some change to the outlook from the neighbouring property. However, the side wall to the canopy is not significantly taller than the boundary wall and the rear elevation is orientated due north. Given the limited height of the development and the scale of the projection beyond the neighbour's extension, I am not persuaded that it has caused a significant loss of light or resulted in an oppressive sense of enclosure.
7. Consequently, whilst together with the previous extension the depth of the canopy does not accord with the numeric guidance in the SPD, it has not impacted the neighbour's living conditions to a harmful degree. The development therefore accords with Policies CC2 and SC7 of the London Borough of Hounslow Local Plan 2015-2030 (Local Plan), which amongst other things, seek to minimise harm to neighbouring residents, and set out that proposals should provide an adequate outlook, minimise overbearingness and overshadowing, and ensure sufficient sunlight and daylight to adjoining dwellings. Additionally, it would accord with the requirement within the National Planning Policy Framework to ensure a high standard of amenity.

Character and Appearance

8. Due to its open form the canopy has a limited visual presence and massing. The roof of the canopy aligns with the eaves of the adjoining extension and the end wall runs off the boundary. As such, I do not find its form to be an incongruous design feature and whilst cumulatively the additions add a notable depth to the property, the canopy which creates a covered patio area does not dominate the host property.
9. Sited to the rear, the development is not visible from the road and a reasonable garden area remains free from development. From within the rear garden, the presence of extensions and what appear to be canopies to other properties nearby can be seen.
10. I am therefore satisfied that the canopy has not had a detrimental impact on the appearance of the host property or that of the surrounding area to conflict with Policies CC1, CC2 and SC7 of the Local Plan. Together these set out that proposals should complement and be subservient to the existing property, respond to the site, and have regard to the character of the area.

Other Matters

11. Concerns have been raised by a third party relating to the height and form of the boundary wall, its construction, alignment, and finish. Other than the section facilitating the height of the canopy structure, the boundary wall is not part of this proposal. Additionally, consent for access to the neighbour's land and requirements in relation to the Party Wall Act are independent of the planning process.

Conclusion

12. For the reasons set out, and having regard to all other matters raised, the appeal is allowed. Whilst the Council have indicated that conditions should be imposed with regard to the plans and materials as the canopy is already in place these are unnecessary.

G Ellis

INSPECTOR