



Appeal Decision

Site visit made on 25 March 2025

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 April 2025

Appeal Ref: APP/F5540/D/25/3360430

88 St Leonards Gardens, Hounslow, TW5 9DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mahindar Nath against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2024/2788.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 88 St Leonards Gardens, Hounslow, TW5 9DH in accordance with the terms of the application, Ref P/2024/2788, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: PL1/SM/3415-00; PL1/SM/3415-01; PL1/SM/3415-02; PL1/SM/3415-03 and PL1/SM/3415-04.

Preliminary Matter

2. The development has been constructed and the appeal is therefore in relation to obtaining retrospective permission for the works.

Main Issue

3. The main issue is the effect of the extension on the living conditions of the occupiers of 86 St Leonards Gardens with particular reference to privacy, outlook and light.

Reasons

4. The appeal property is a two-storey mid terrace dwelling located in a road comprising similar properties.
5. The existing property had already been extended to the rear by way of a 3.14m deep extension. The extension that is the subject of this appeal has added a further 4.64m to the pre-existing extension, resulting in a total depth of about 7.78m from the main two storey rear wall of the dwelling.
6. The Council's Residential Extensions Guidelines Supplementary Planning Document (2017) (SPD) advises that single storey rear extensions to terraced dwellings should not normally exceed 3.05m in depth to avoid the loss of outlook and daylight of neighbouring dwellings. Notwithstanding this, it is important to

recognise that such guidance does not constitute a rigid set of rules to be applied exclusively when other material considerations indicate that an exception may be appropriate. Furthermore, the SPD guidance does not reflect the permissible dimensions set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7. The adjoining dwelling to the west, 90 St Leonards Gardens has a 6m deep single storey extension to the rear which was approved under a prior approval application. The proposed extension at No 88 broadly aligns with the rear extension of No 90 and I concur with the Council that no harm has been caused to the living conditions of the occupiers of No 90.
8. The adjoining dwelling to the east, 86 St Leonards Road has also been extended to the rear with an extension to the same overall depth as that at No 88. The Council point out that the extension to No 86 was also constructed without planning permission however I note that an application for its retention was submitted alongside the application at No 88. The Council also refused the application at No 86 and that decision was subsequently appealed against. I am also the Inspector responsible for the appeal at No 86 which is the subject of a separate decision¹.
9. The extension is of the same height, design and appearance as the extension to No 86 and does not extend beyond the rear elevation of that extension. I also note that the adjoining occupiers did not raise any objections to the appeal scheme. As I am also minded to approve the appeal at No 86, I am satisfied that the development has not resulted in any significant harm to the living conditions of the occupiers of No 86 in terms of outlook, privacy or loss of light.
10. Accordingly, it complies with Policies CC2 and SC7 of the London Borough of Hounslow Local Plan 2015-2030 (2015) which together and amongst other matters, seek to minimise harm to neighbouring residents by avoiding an unacceptable loss of daylight/sunlight, outlook or by creating an unacceptable sense of enclosure.

Conditions

11. As the development has already been carried out, the standard implementation condition and a condition relating to materials as recommended by the Council are unnecessary. The approved plans condition is imposed for clarity.

Conclusion

12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

J Davis

INSPECTOR

¹ Appeal Ref. APP/F5540/D/25/3360429