



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/25/3360429

86 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 Bittu Gupta against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2024/2785.
 - The development proposed is a 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 86 St Leonards Gardens, Hounslow, TW5 9DH in accordance with the terms of the application, Ref P/2024/2785, 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 84 and 88 St Leonards Road, with particular reference to privacy, outlook and light.

Reasons

4. The appeal concerns a two storey, mid terraced dwelling located in a row of similar properties.
5. The existing property had already been extended to the rear by way of a 3.45m deep extension. The extension that is the subject of this appeal has added a further 4.34m 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 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, the 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. With regard to the effect of the proposal on the living conditions of the occupiers of 84 St Leonards Gardens, the Council state in their officer report that a rear extension under construction at No 84 at the time of writing the report was unauthorised. The appellant has clarified in their statement that the unauthorised works at No 84 were removed and that a Prior Approval application had been submitted for an extension with a total depth of 6m. The Council has subsequently confirmed that the application¹ has been determined and that prior approval is not required for the extension. At the time of my site visit some works in the rear garden in associated with an extension had taken place at the property.
8. Given the planning history of 84 St Leonards Gardens and my observations on site, I consider that there is a reasonable probability that the prior approval extension at No 84 will be fully implemented. Should this be the case, the extension to No 86 would not extend significantly beyond the rear elevation of No 84 and accordingly, would not have any serious detrimental effect on the living conditions of the occupiers of No 84.
9. However, even in its current form, No 84 has an existing single storey rear extension of around 3 metres in depth. This extension is set in from the boundary with No 86 and contains a window and patio door on its rear elevation which appear to serve the same room. The extension that has been constructed at No 86 extends beyond the rear elevation of No 84 by several metres. However, having regard to the low, flat roof design, its set in from the boundary, and the positioning of windows on the rear elevation of No 84, I am satisfied that the extension has not resulted in a significant loss of outlook from windows on the rear elevation of No 84 or its garden area. Furthermore, having regard to the size and positioning of the openings on the rear elevation of No 84, together with its open aspect to the rear, I am satisfied the amount of light received by windows on the rear elevation is unlikely to have been reduced to a harmful extent.
10. A section of the high boundary wall between Nos 84 and 86 St Leonards Gardens has been removed to facilitate building work to the rear of the dwellings. There is therefore, no physical boundary between the gardens along this section. Accordingly, due to the absence of any form of side boundary, there is mutual overlooking between the two properties including from the windows in the flank elevation of the extension at No 86. However, any loss of privacy would be likely to the temporary and short lived, as it is highly probable that a boundary enclosure would be re-erected on the completion of building works which would be likely to alleviate overlooking from ground floor windows. Furthermore, and of particular importance in this case, I have noted that no objections have been received from the occupiers of No 84. Having regard to the combination of all of these factors, I conclude that the living conditions of the occupiers of 84 St Leonards Gardens are unlikely to be significantly harmed as a result of the development.

¹ LPA ref. PA/2025/0426

11. The adjoining dwelling to the east, 88 St Leonards Road has also been extended to the rear with an extension of the same depth as that at No 86. The Council has confirmed that the extension to No 88 was also constructed without planning permission however an application for its retention was submitted alongside the application at No 86. The Council also refused the application at No 88 and that decision was subsequently appealed against. I am also the Inspector responsible for the appeal at No 88 which is the subject of a separate decision².
12. The extension is of the same flat roof design and appearance as the extension to No 88 and aligns with it. As the extensions have been constructed at the same time and to the same depth, no loss of amenity has occurred to the occupiers of No 88. Furthermore, I note that the adjoining occupiers did not raise any objections to the appeal scheme. As I am also minded to allow the appeal at No 88, I am satisfied that the development has not resulted in any significant harm to the living conditions of the occupiers of that dwelling.
13. I therefore find that the development has not had a harmful effect on the living conditions of the occupiers of Nos 88 and 84 St Leonards Gardens with particular reference to privacy, outlook and light. 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

14. 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

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

J Davis

INSPECTOR

² Appeal Ref. APP/F5540/D/25/3360430