



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/25/3360301

10 Pontes Avenue, Hounslow, TW3 3FH

- 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 Mr Mahesh Parte against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2024/3763.
 - The development proposed is retention of an outbuilding / garden room and proposed alterations to create a flat roof, reduce overall height to 2.5m and reduce depth to 4.1m.
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Decision

1. The appeal is allowed and planning permission is granted for retention of an outbuilding / garden room and proposed alterations to create a flat roof, reduce overall height to 2.5m and reduce depth to 4.1m at 10 Pontes Avenue, Hounslow, TW3 3FH in accordance with the terms of the application, Ref P/2024/3763, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 202390.P.1001; 1002; 1003; 1101; 1102; 1103; 1104 and Fire Safety Statement (Rev C).

Preliminary Matter

2. An outbuilding has been constructed at the above property without planning permission. The appeal proposal is for alterations to the existing structure including replacing the existing pitched roof with a flat roof and a reduction in its height and depth.

Main Issues

3. The main issues are the effect of the appeal proposal upon:
 - the character and appearance of the area and the living conditions of existing and future occupiers of the host dwelling; and
 - the living conditions of the occupiers of 11 Pontes Avenue and 14 Old Farm Close with particular reference to outlook.

Reasons

Character and appearance / living conditions of existing and future residents

4. The appeal site has been the subject of a previous planning application to retain the existing structure on the site. This application was refused by the Council and a subsequent appeal¹ was also dismissed. The current proposal is to retain the existing building but to replace the existing 3.75m high pitched roof with a flat roof profile with an eaves height of 2.5m. The depth of the building is also proposed to be reduced from 4.4m to 4.1m.
5. I acknowledge the guidance in the Council's Residential Extensions Guidelines Supplementary Planning Document (SPD) which stipulates that should a proposed outbuilding reduce the rear garden of a property to below the area equal to the footprint of the original dwelling, an application would be at risk of refusal.
6. The proposed reduction in the depth of the existing outbuilding would result in a relatively small gain in the amount of retained rear garden space. It would remain less than that of the footprint of the dwelling which is said to amount to around 44sqm. However, by replacing the existing pitched roof with a flat roof with a maximum height of 2.5m, the visual presence of the building would be significantly reduced and consequently, it would dominate and detract from the rear garden of the dwelling to a much lesser extent.
7. The rear garden of the dwelling is a rectangular shape, laid out with areas patio, lawn, flower beds and paths. Whilst modest in size, it is a usable, private and secure space with a pleasant aspect. As a result of the proposed reduction in the scale, height and footprint of the building and consequent increase in size of the garden, I find, on balance, that the living conditions of existing and future occupiers would not be significantly harmed by the proposal with reference to outdoor space.
8. Most houses within the terrace benefit from fairly modest timber sheds within their rear gardens. An exception to this is at 7 Pontes Avenue which has a substantial mono-pitched structure in the rear of its slightly larger than average corner plot. Even with the proposed alterations, the outbuilding would remain larger than most other outbuildings within the immediate rear garden environment. However, the proposed alterations would nonetheless significantly reduce the building's scale, height and visual presence and would ensure that it would not be an overly imposing feature when viewed from neighbouring gardens and as such, would not significantly detract from the character and appearance of the surrounding area.
9. Thus, I find that the proposal would comply with Policies CC1 and SC7 of the London Borough of Hounslow Local Plan 2015-2030 (2015) (LP). These policies, amongst other matters, expect proposals to respond to the context and character of the area and to ensure that they do not harm the amenity of neighbouring residents, existing and future occupants and the built and natural environment.

¹ Appeal ref. APP/F5540/D/24/3336539

Living conditions of the occupiers of 11 Pontes Avenue and 14 Old Farm Close

10. No 11 Pontes Avenue to the north, has a single storey rear extension. Whilst the flat roof of the outbuilding would remain visible above the existing close boarded fence between the two properties, its modest height of 2.5m and flat roof profile would ensure that it would not be harmful to the outlook from rear habitable room windows or the rear garden of No 11. Furthermore, the extent of shadow cast above the fence would not be significant and would be unlikely to result in a significant loss of light to rear windows or the rear garden of No 11.
11. No 14 Old Farm Close lies to the west of the site. This dwelling has been extended to the rear and has a very shallow rear garden of around 5m deep. The existing building spans the majority of the rear garden boundary with No 14. Whilst some screening exists in the rear garden of No 14, the existing structure restricts the outlook from the property and has an overbearing effect on its rear garden environment.
12. The overall width of the building would not be altered. However, the removal of the pitched roof and replacement with a flat roof of maximum height of 2.5m would significantly reduce its visual prominence. Whilst the building would be seen above the rear garden boundary, its lower profile would ensure that it would not be overbearing and consequently, the outlook from rear windows and the rear garden of No 14 would not be significantly harmed. I also note that the occupiers of No 14 have raised no objection to the proposal.
13. I therefore conclude that the proposal would not have an adverse effect on the living conditions of the occupiers of 11 Pontes Avenue and 14 Old Farm Close with particular reference to outlook. It would therefore comply with Policies CC2 and SC7 of the LP and the SPD 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. I have not imposed the standard implementation condition or materials condition as the development has begun. I have imposed the approved plans condition for clarity.
15. The Council suggest a condition requiring the outbuilding to be used for purposes incidental to the residential use of the main house. However, as any independent use of the outbuilding would require planning permission, I do not consider a condition to this effect to be reasonable or necessary.

Conclusion

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

J Davis

INSPECTOR