



Appeal Decision

Site visit made on 7 July 2025 by R Pankhurst

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2025

Appeal Ref: APP/F5540/D/25/3361790

61 Denison Road, Hounslow, Feltham, TW13 4QE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Robert Ojwiya against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is PA/2024/3713.
 - The development proposed is 6-metre single storey rear extension with duo-pitched roof and roof windows.
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Decision

1. The appeal is allowed and prior approval is required and is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a 6-metre single storey rear extension with duo-pitched roof and roof windows at 61 Denison Road, Hounslow, Feltham, TW13 4QE in accordance with the terms of the application, Ref PA/2024/3713, and the details submitted with it including plans 2401A-100, 2401A-101, 2401A-102, 2401A-110, 2401A-111, 2401A-112, 2401A-113, 2401A-120, 2401A-121, 2401A-200, 2401A-210, pursuant to Article 3(1) and schedule 2, Part 1, Class A, paragraph A.4 (2).

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions. There is no dispute between the parties that the proposal complies with the conditions and limitations of Class A, and from the evidence before me I have no reason to disagree.
4. Paragraph A.4(7) states that where any owner or occupier of any adjoining premises objects to the proposed development, the local planning authority is required to assess the impact of the proposal on the amenity of any adjoining premises. Paragraph A.4(9) requires that the representations made must be taken into account when considering this impact.

Main Issue

5. Therefore, the main issue is the effect of the proposal on the amenity of the adjoining premises, with particular regard to outlook, light and privacy.

Reasons for the Recommendation

Amenity of Adjoining Premises

6. The appeal site comprises a two-storey terraced property. The attached neighbouring property, 63 Denison Road, has a single storey rear projection. The outlook from the windows in this rear projection is across the garden to the large garage at the end of it. The outlook from the first-floor windows of No 63 is across the rear garden towards the side elevation of the property at the rear of the garden. From the first-floor level there will also be some views into the rear garden of the appeal site and the other adjoining neighbour. The existing outlook from the garden of No 63 towards the appeal site is limited due to the high fence and trellis, as well as structures up against the shared boundary.
7. The existing outlook from the ground floor rear windows of the other adjoining neighbour, 59 Denison Road, is across its rear garden with trees and shrubs providing screening at the end of the garden. The outlook from the rear first floor windows of No 59 is over their garden with some views into the gardens of the adjoining properties. The existing outlook from the garden of No 59 towards the appeal site is limited by tall fence panels and some shrubs along the shared boundary.
8. The outlook from the rear windows and the garden of No 63 and No 59 would be altered as a result of the proposal. Nevertheless, visibility of the extension would be limited as its eaves would only be a little above the existing boundary fence and trellis of No 63 and the existing fence and shrubs along the boundary with No 59. In addition, while the roof of the proposal would be seen from the gardens of No 63 and No 59, it would slope away from the boundaries, so would not result in a significantly increased sense of enclosure from those gardens. Consequently, the proposal would not have an overbearing impact or result in an unacceptable loss of outlook from Nos 63 or 59.
9. Given the orientation of the rear garden of No 63 it receives a good amount of sunlight, especially in the afternoon, although the large garage at the end and the structure against the shared boundary is likely to cast some shadow on its garden space. The proposal would result in some additional shading of No 63 but given the low eaves height of the proposal and the fact the roof would be pitched, this would only occur for a short time in the middle of the day and would only affect a small proportion of the property. Therefore, it would have very limited effect in terms of the light received by the garden space or rear windows of No 63. Due to the orientation of the appeal site relative to No 59 it would not materially affect light reaching that property. Consequently, the proposal would not result in a harmful reduction in light to either neighbouring property.
10. The rear gardens of No 63 and No 59 are not completely private as the appeal property has a rear dormer with windows which overlook them. It is also possible to look back towards the first-floor windows of those properties from the garden of the appeal site. Due to the angle and position of the rooflight in the proposed extension closest to No 63 it would provide very limited views, if any, into the first-floor

bedroom of No 63. Furthermore, while the proposed rooflight facing No 59 is closer to the first-floor rear window of No 59, the window has obscured glass and therefore there would be no view into it. Consequently, the proposal would not result in a harmful reduction in privacy for the occupiers of No 63 or No 59.

11. For the reasons above, the proposal would not harm the amenity of adjoining premises with regard to outlook, light and privacy.
12. I have had regard to Policy SC7 of the Hounslow Local Plan Volume One 2015-2030. Under the Class A prior approval process there is no provision to consider the development plan. Therefore, while local policies can be material considerations they are not determinative under this procedure. Policy SC7 seeks to minimise harm to neighbouring residents and therefore is a material consideration. Given that I have found that the proposal would not harm the amenity of neighbours, I find no conflict with this Policy.
13. The Council's Residential Extension Guidelines Supplementary Planning Document (SPD) sets out a suggested maximum depth for single storey rear extensions on terraces, which seeks to safeguard the amenity of occupiers of neighbouring dwellings. While the proposal would exceed this depth, for the reasons set out above it would not harm the amenity of the occupiers, so would not conflict with the aims of the SPD in this regard.

Other Matters

14. Concerns have been raised regarding the potential removal of part of the boundary fence to accommodate the proposed extension. However, the plans submitted show the extension would be set in slightly from each side boundary. In any event, if access were required onto neighbouring land for construction or to remove a neighbouring landowner's fence, this would be a civil matter between the landowners. There have also been concerns about the lack of written notice from the appellant, however in Class A prior approval applications it is the responsibility of the Council to notify adjoining owners when an application is made, and the evidence before me is that this was carried out.
15. Therefore, while I appreciate the concerns raised, these matters carry very limited weight and do not justify refusing prior approval.

Conditions

16. The GPDO sets out conditions that must be complied with for Class A development to be permitted, including compliance with the approved details and the type of materials that must be used. It is not therefore necessary to duplicate these conditions through this decision. Class A allows for additional conditions to be imposed insofar as they relate to amenity, however in this case no further conditions are necessary.

Conclusion and Recommendation

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

R Pankhurst

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed and prior approval is granted.

L McKay

INSPECTOR