
Appeal Decision

Site visit made on 14 November 2016

by Christa Masters MA (hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18th November 2016

Appeal Ref: APP/R5510/D/16/3158842

1 Bushey Road, Hayes, Middx UB3 4AS

- 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 Zahid Ullah against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 48555/APP/2016/2106, dated 27 May 2016, was refused by notice dated 27 July 2016.
 - The development proposed is single storey infill extension at rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the living conditions of the existing and future occupiers of No 1a Bushey Road.

Reasons

3. The appeal property is an attractive detached dwelling located in an established residential area. As a result of the positioning of the neighbouring property at No 1a, there is an existing close relationship between this property and the appeal property.
 4. The proposal seeks to provide a single storey rear extension to be located close to the boundary with No 1a. This would measure 4.7m in length and 3.2m in height. As the existing boundary treatment between the two properties is approximately 2m in height, the extension would be readily visible from both the gardens and rear windows at No 1a. As a result of the existing close relationship between the two properties along this boundary, the proposed extension in this location would introduce a visually dominant feature which would result in an unneighbourly form of development.
 5. The Council state that the proposed extension would breach the 45 degree angle when measured from the centre line of the window. The appellant is silent on this matter. In my estimations, given the location and scale of the extension, it is likely to result in material harm in terms of overshadowing and loss of light to the existing and future occupiers of No 1a. Whilst I note the letter of support for the proposal from the existing occupiers of No 1a, this alone is not sufficient justification to allow a development which would cause
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significant harm to the living conditions of the existing and future occupiers as outlined above.

6. I therefore conclude as a result of the size, scale and proximity of the proposed extension, the proposal would cause material harm to the living conditions of the existing and future occupiers of No 1a Bushey Road in terms of overshadowing, loss of light and outlook and visual intrusion. It would therefore be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two Saved Policies (LP) 2012. Policy BE19 advises, amongst other things, that new development within residential areas should complement or improve the amenity of the area. Policy BE20 advises that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them and the amenities of existing houses are safeguarded. Policy BE21 goes onto note that planning permission will not be granted for extensions which would result in a significant loss of residential amenity.
7. Reference has also been made to the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document, Residential Extensions (SPD) 2008. However, my attention has not been drawn to anything specific in this document in relation to the main issue before me.

Conclusion

8. For the reasons set out above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Christa Masters

INSPECTOR