



Appeal Decision

Site visit made on 6 December 2016

by K E Down MA (Oxon) MSc MRTPI MRSB

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

Decision date: 14 December 2016

Appeal Ref: APP/R5510/D/16/3160627

166a Harefield Road, Uxbridge, UB8 1PP

- 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 Suresh Babu Karanam against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 71814/APP/2016/2809, dated 12 April 2016, was refused by notice dated 14 September 2016.
 - The development proposed is erection of first floor on top of garage side extension and rear single storey.
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Decision

1. The appeal is allowed and planning permission is granted for erection of first floor on top of garage side extension and rear single storey at 166a Harefield Road, Uxbridge, UB8 1PP in accordance with the terms of the application, Ref 71814/APP/2016/2809, dated 12 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Dwg No A1/139 Rev 1.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 4) The extension hereby permitted shall not be occupied until the first floor bathroom window has been fitted with obscured glazing as shown on Dwg No A1/139 Rev 1. Once installed the obscured glazing shall be retained thereafter.

Main Issue

2. There is one main issue which is the effect of the proposed extension on the living conditions of occupiers at 168 Harefield Road with respect to visual intrusion, outlook, overshadowing and loss of light.
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Reasons

3. The appeal property is a modern two storey detached house set behind No 166, which lies close to Harefield Road, but adjacent to a single storey section of No 168 which is located well back on its plot. No 168 is orientated such that its main windows face generally west-south-west across the open frontage of No 166a. Owing to the angle at which the two dwellings are set, the appeal dwelling, although off-set, is clearly visible from these windows with the nearest corner of the existing single storey garage being some 10m from the closest windows serving a kitchen and bedroom and about 1.2m from the shared boundary. The existing two storey element of No 166a is some 5-6m further away.
4. The proposed first floor side extension would be set down from the ridge of the existing dwelling, set back by 1m from the front elevation of the existing garage and about 1.5m in from the existing side elevation. It would be clearly visible from windows in No 168 but seen against the existing two storey dwelling. Although it would be closer, the set back of the first floor would ensure that the proposed extension did not appear oppressive or reduce the outlook across the frontage of No 166a and the set in from the side boundary would ensure an adequate distance between it and No 168. The extension would obstruct the view that currently exists, over the single storey garage, towards the rear of No 166a. However, this would be most apparent from the windows furthest from No 166a which would retain their uninterrupted outlook across the open frontage. The proposed first floor extension, owing to its siting, design and distance of separation would not therefore create an unacceptable visual intrusion or appear overly dominant in the outlook from No 168.
5. The appeal dwelling lies generally south-west of the main windows in No 168. Owing to the proposed first floor extension being lower and narrower than the existing dwelling against which it would be seen and due to the position of the single storey element of No 168 lying to the south of its main windows, the proposed extension would have no material effect on the level of sunlight or daylight reaching No 168. Any effect would be further limited by No 166a being set on lower ground than No 168. The position and orientation of the proposed extension in relation to No 168 would therefore ensure that no material loss of sunlight or daylight or overshadowing of the house or side garden area at No 168 occurred.
6. The occupiers of No 168 are concerned about a potential loss of privacy and noise and disturbance. However, there would be no overlooking windows since the front facing window would serve a bathroom and is proposed to be obscure glazed. Although a small balcony is proposed to the rear, any views from it and towards the rear garden at No 168 would be largely blocked by the section of No 168 closest to the shared boundary. In respect of noise and disturbance, the occupiers at No 168 point out that the single storey wing closest to the shared boundary includes a bedroom and is thus habitable accommodation. Nevertheless, I see no reason why the proposed extension, which at first floor would comprise a bedroom and bathroom, would lead to any increase in noise or disturbance from the property. There may be some additional noise and disturbance during construction but this would be of limited duration and unlikely to be materially harmful to the living conditions of neighbours.

7. It is therefore concluded on the main issue that owing to its scale, siting and orientation the proposed extension would have no materially detrimental effect on the living conditions of occupiers of No 168 with respect to visual intrusion, outlook, overshadowing or loss of light. Neither would it be harmful in terms of privacy, noise or disturbance. In consequence there would be no conflict with Policies BE19, BE20 or BE22 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies 27th September 2007 which, taken together, seek to ensure that development in residential areas is laid out such that it complements or improves the amenity of the area and in particular safeguards the amenities of existing houses in respect of sunlight and daylight, including through having a set back of at least 1m between the extension and the side boundary. Neither would there be any conflict with the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions, December 2008.
8. Turning to other matters, the appeal site lies just outside the North Uxbridge Area of Special Local Character. However, I agree with the Council that the proposed extension would have no material effect on the character or appearance of this area. Third parties suggest that the proposed extension would result in a cramped addition that would overdevelop the plot and detract from the street scene. However, I agree with the Council that the extension would have a satisfactory relationship with the host property and would not harm the character or appearance of the surrounding area, including the street scene. It is suggested that the house, as built, would have been the maximum size that the plot could accommodate but I have seen no evidence to support this view. Finally, concern is expressed regarding the potential for collapse of the land upslope of the proposed extension if new foundations are required. I have no evidence that the land is unstable but in any case the specification for foundations and additional support, if necessary, would be a matter for Building Regulations.
9. In addition to the statutory commencement condition, the Council suggests two further conditions requiring the development to be carried out in accordance with the approved plans and using external materials that match the existing dwelling. I agree both are necessary in order to protect the character and appearance of the host dwelling and the surrounding area. In addition, the Council's delegated report suggests that a condition could be used to ensure that the obscure glazing to be used in the front facing bathroom window is retained. I agree this is necessary in order to protect the privacy of neighbouring occupiers and I shall therefore attach a suitable condition.
10. For the reasons set out above and having regard to all other matters raised, including trees, the description of development and the accuracy of plans, I conclude that the appeal should be allowed.

KE Down
INSPECTOR

